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Ῥιζομος "Οξεία

OR

THE CHURCH

OF

ENGLAND

DEFENDED

In two treatises against the
Fabulous and Slanderous Imputa-
tions cast upon her in thole
two Points.

OF { Succession of Bishops
and
Schisme

Wherein

The Fable of the Nags-head Ordination is detected,
And
The Accusation of Schisme retorted.

By John Bramhall D.D. Bishop of Derry

Psal. 56. 3.

*Et li hominum, dentes eorum arma & sagittæ : & lin-
gua eorum gladius acutus.*

Ψαλ. 55. 15.

Ἡ ῥομφαία αὐτῶν εἰσέλθοι εἰς τὴν καρδίαν
αὐτῶν.

Printed at the Hague, and Published at London, 1659

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THE CHURCH

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A POST-SCRIPT.

Christian Reader: whereas there is mention made in this Treatise, of a Book entituled [*Antiquitates Britannicæ*] Printed first at London in Latine by John Day, the Queens Printer, in the year 1572, and reprinted at Harrow in the year 1605, he pleased to take notice of these two things.

First, that it is not material to our present Controversie, whether Archbishop Parker himself, or his domestick Chaplain John Ileslain were the Author of that book: or perhaps the Chaplain Author of the Archbishops life (as a subject more proper for his Pen than his Masters,) and the Archbishop himself of all the other Lives: This is undoubtedly true, that it was written at the Archbishops charge, and by his appointment, and was approved and
* 2 authorised

Postscript.

authorised by himself, and published to the world three years before his Death.

Secondly, that since the publishing of the Treatise, I have found in the Library of my kind friend Mr. Michael Honeywood, (whose name on purpose, that they may view it may have a desire) an old Translation (as the character it self doth testifie sufficiently) of the last of those seventy lses, (namely, of Archbishop Parker himself) into English, which doth more concern this cause than all the rest. Printed in the year 1574, that is, two years after the first edition of *Antiquitates Britanniae*, one year before the death of Archbishop Parker, thirty years before this *Abstruse Fable* was hatched, and forty years before Mr. Masons book was Printed.

Who translated it, and who printed it, is unknown; neither of them durst avouch it. But this is evident by his mistranslations, and by the Title, wherein he wisheith that Austin was the first, so Matthew might be last, Archbishop of Canterbury, and by his marginal notes every where, as for instance where he scoffeth at our Popeholys Orders, that the Translator was a most virulent Advocate both of Archbishop Parker and of the Church of England. Yet notwithstanding his snarling humour, where it is related in Archbishop Parkers life, how he was consecrated by

Postscript.

our Bishops according to the Law, and how
the other Bishops during his time were
legally consecrated by him; this Rabshekeh
stands like the picture of Silence in an Hea-
venly Temple, with his finger in his mouth,
and was not able to contradict it, who (you
may be sure) would have made good sport
with the Nagges-head O. dination, if any such
thing had been heard of in those days.

The use I make of this is double, First, it
is undeniably, that the Legal consecra-
tion of our Protestant Bishops, was published
to the world in Print, both in Latine, and
English in the beginning of Queen Elizabeth's
reign, and could not be contradicted then by
the greatest Adversaries of our Church. Se-
condly, that the exception which our English
Nonconformists in those daies, did take to our
Episcopal Orders, was not want of legal Conse-
cration, but legal Consecration it self; upon
which ground this Translatour nicknamed
them, Pope Holy Orders.

The workes of the Bishop of DERRY.

A Fair warning, or take heed
Scotch Government.

An answer to Mounser *Millin*
about the truth of the Church.

A vindication of the Church of *Eng*
land from Criminall Schisme.

A second vindication of the Church
from Schisme.

Of liberty and necessity against *M*
Hobbs.

Castigations of Mr. *Hobbs* his last.

Animadversions in the case concern-
ing Liberty and universal Necessity
with the catching of *Leviathan* or the
great *Whale.*

All which Books above named, are to be
sold at the Ship in St. Paul's Church
yard by John Crook.

SCHISME G A R D E D,

and beaten back upon the right owners.

Shewing that our great controversy about
Papall power is not a quæstion of faith,
but of interest and profit, not with the
Church of Rome, but with the Court
of Rome, wherein the true Controversy
doth consist, who were the first inno-
vators, when and where these Papall in-
novations first began in England, with the
opposition that was made against them.

By JOHN BRAMHALL
D.^d Bishop of Derry.

Aët. 25. 10.

I stand at Cæsars judgmēt seate where I ought to be judged.

Psalm. 19. 2.

Dies dei eructat verbum, & nox noctis indicat scientiam,

§ (o) §

GRAVENHAGH,

Imprinted by JOHN RAMZEY,
Anno M. DC. LVIII.

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To the
CHRISTIAN READERS,
especially the
Roman-Catholicks of England.

Christian Reader, the great Bustling in
the Controversy concerning Papall power
or the discipline of the Church, hath been
about the true sense of some Texts of holy
scripture, As thou art Peter, and upon this
rocke will I build my Church, and to thee
will I give the Keies of the Kingdome of
heaven, and feed my sheepe: Or about some
privileges conferred upon the Roman See by the
Canons of the Fathers and the Edicts of Empe-
rours, but pretended by the Roman Court and
the maintainers thereof to be held by divine
right. I endeavour in this Treatise to disabuse thee,
and to shew that this challenge of divine right,
is but a Blind or Diversion to withhold thee
from finding out the true State of the Question.
The Hare makes her doubles and her jumps
before she come to her Forme, to hinder Tracers
from finding her out.

To the Christian Readers.

I demonstrate to thee, that the true controversy is not concerning St. Peter, we have no formed difference about St. Peter, nor about any point of faith, but of interest and propriety nor with the Church of Rome, but with the Court of Rome, and wherein it doth consist namely in these questions; VVho shall confer English Bishopricks, who shall convocate English Synods, who shall receive tenths and first-fruits and Oathes of Allegiance and Fidelity VVhether the Pope can make binding Lawes in England without the consent of the King and Kingdome, or dispense with English Lawes at his owne pleasure, or call English Subjects to Rome without the Princes leave, or set up Legantine Courtes in England against their will And this I shew not out of the opinions of Particular Authors, but out of the publick Lawes of the Kingdome.

I prove moreover out of our fundamentall Lawes and the writings of our best Historiographers, that all these branches of Papall power were abuses and innovations and usurpations first attempted to be introduced into England above eleven hundred yeares after Christ, with

To the Christian Readers.

the names of the Innovators, and the precise time when each innovation began, and the opposition that was made against it, by our Kings, by our Bishops, by our Peeres, by our Parliaments, with the groanes of the Kingdome under these Papall innovations and extortions.

Likewise in point of doctrine, thou hast been instructed that the Catholick faith doth comprehend all those points which are controverted betweene us and the Church of Rome, without the expresse believe whereof no Christian can be saved: whereas in truth all these are but opinions, yet some more dangerous then others. If none of them had ever bene started in the world, there is sufficient to salvation for points to be believed in the Apostles Creed. Into this Apostolicall faith professed in the Creed, and explicated by the foure first Generall Councils, and onely into this faith, we have all been baptised. Farre be it from us to imagine, that the Catholick Church hath evermore baptised, and doth still baptise but into one half of the Christian faith.

In summe doest thou desire to live in the Communion of the true Catholick Church? So do I.

To the Christian Readers.

But as I dare not change the cognisance of my Christianity, that is my Creed, nor enlarge the Christian faith (I meane the essentialls of it) beyond those bounds vvhich the Apostles haue set: So I dare not (to serue the interest of the Roman Court,) limit the Catholick Church vvhich Christ hath purchased vvvith his blood to a fourth or a fifth part of the Christian vvorld.

Thou art for tradition, So am I. But my tradition is not the tradition of one particular Church contradicted by the tradition of another Church, but the universall and perpetuall tradition of the Christian vvorld united. Such a tradition is a full prooffe, vvhich is received semper ubique & ab omnibus; alvvayes, every vvhere, and by all Christians. Neither do I looke upon the oppositiō of an handfull of Hereticks, (they are no more being compared to the innumerable multitudes of Christians,) in one or two ages, as inconsistent vvith universality, any more then the highest mountains are inconsistent vvith the roundnesse of the earth.

Thou desirest to beare the same respect to the Church of Rome that thy Ancestours did; So do I.

To the Christian Readers.

not for that fullness of power, yea coactive power
the exterior Court, over the subjects of
her Princes, and against their wills, devised
the Courte of Rome, not by the Church of
Rome; it is that pernicious source from whence
all these usurpations did spring Our Ancestours
from time to time made Lawes against it: and
our reformation in pointe of discipline being
rightly understood, was but a pursuing of their
steppes. The true controuersy is, whether the
Bishop of Rome ought by diuine right to have
the externall Regiment of the English Church,
and coactive jurisdiction in English Courtes,
over English Subjects, against the will of the
King and the Lawes of the Kingdome.

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SCHISME GARDÉD
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A cleare and
CIVIL ANSWER,
to the railing accusation of S. W.
in his late Booke called.
SCHISME DISPATCHED.

Whatsoever S. W. alias Mr. Serjeant
doth intimate to the contrary, (for
he dare not cough out,) it is a most undeniable
truth, that no particular Church, (no
not the Church of *Rome* it self) is exempted
from a possibility of falling into errors in
faith. When these errors are in Essentials
of faith, which are necessary to salvation
necessitate medii, they destroy the being of
that Church which is guilty of them. But if
these errors be in inferiour points, such as
are neither absolutely necessary to Salva-
tion to be known, nor to be believed be-
fore they be known; such an Erroneous
Church erring without obstinacy and hol-
ding the truth implicitly in *præparatione ani-*
mi, may and doth still continue a true
member of the Catholick Church, and
other coordinate Churches may and ought
to maintein Communion with it, not with
A standing

standing that they dissent in opinion. But if one Church before a lawfull determination shall obtrude her own Errours or Opinions upon all other Churches as a necessary condition of her communion, or after Determination shall obtrude doubtful opinions (whether they be Erroneous or not) as necessary Articles of Christian faith, and so not onely explain, but likewise enlarge the Ancient Creeds, she becommeth Schismaticall: As on the otherside, that Church which shall not outwardly acquiesce after a legall Determination, and cease to disturb Christian Vnity, though her Iudgement may be sound, yet her Practise is Schismaticall.

This is the very case betwixt the Churches of *Rome* and England, Shee obtrudeth Doubtfull Opinions as Necessary Articles of faith, and her own Errours as necessary conditions of Communion, Which *Mr. Serjeant* everywhere miseth and misteth with his *Prævarications*. I cannot more fitly resemble his Discourse then to a Winter Torrent, Which aboundeth with Waters when there is no need of it, but in Summer when it Should be useful, it is dried up: So he is full of proofes (which he miscalleth *Demonstrations*) where there is no controversy between us, and where the water sticks in

(3)

deed; he is as mute as a fish. He taketh
great paines to prove that the Catholick
Church is infallible in such things as are ne-
cessary to Salvation. Whom doth he stri-
ke? He beateth but the aire, Wee say the
same: But wee deny that his Church of Ro-
me is this Catholick Church, and that the
Differences between us are in such things as
are necessary to Salvation. Here where
he should Demonstrate if he could, he fa-
vours him self. He proveth that it is unrea-
sonable to deny that or doubt of it which is
received by the universall Tradition of
the whole Christian World. What is he
seeking? Surely he doth not seek the
Question here in Earnest, but as he who
sought for an Hare under the Leads; because
he must seek her as well where she was not;
as where she was. We confesse that writing
addeth no new Authority to Tradition, Divi-
ne Writings and Divine Tradition, Aposto-
licall Writings and Apostolical traditions, if
they be both alike certain, have the same au-
thority: And what greater certainty can be
imagined then the Vniversall Attestation of
the Catholick Symbolicall Church of Christ.
But the right Controversy lyeth on the other
hand. Wee deny that the Tradition whe-
reupon they ground their Opinions, whe-
re in wee and They dissent, is universall;

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either in regard of time, or place.

He endeavoureth with Tooth and Naye to establish the *Roman Papacy Iure divino* but for the extent of Papall power he leaveth it free to Princes, commonwealths, Churches, Universities, and particular Doctors to Dispute it and bound it, and to be Judges of their own Privileges. Yet the maine controversy, I might say the only necessary controversy between them and us, is about the extent of Papall power, as shall be seen in due place. If the Pope would content himself with his *exordium Vniversitatis* which was all that his primitive prædecessors had, and is as much as a great part of his own Sons will allow him at this day, wee are not so hard hearted and uncharitable, for such an innocent Title or Office to disturb the peace of the Church. Nor doe envy him such a preheminance among Patriarchs as *S. Peter* had (by the confession of his own party) among the Apostles. But this will not be accepted, either he will have all or none, patronages, tenths, first fruits, investitures, appeales, legantine courts, and in one word an absolute Sovereignty or nothing. It is nothing unlesse he may bind all other Bishops to maintein his usurped Royalties, under the pretended name of *Regalia Sancti Petri*, by an Oath contradictory to our old Oath of allegiance, although all the

encroachmēts are directly destructive to the
 ancient lawes and liberties both of the Bri-
 tish and English Churches. So we have onely
 cast of his boundlesse Tirāny. It is he and his
 Court who have deserted and disclaymed
 his own just regulated authority, as appea-
 reth by the right stating of the question But
 M. Serjeant lapwinglike makes the most pew
 ing and crying when he is furthest from his
 nest. What he is, I neither know nor much re-
 gard. I conclude he is but a young divine,
 because he himself stileth his Treatise *the*
Prenisage of his Endeavours in controversy. Pag:
 2. And is it not a great boldnesse for a single
 apprentice (if he doe not shoot other mens
 bolts after he hath bestowed a little Rhetor-
 icall Varnish upon them) to take up the
 Bucklers against two old Doctors at once,
 and with so much youthfull presumption of
 victory that his Titles sound nothing but
disarming and *dispaiching* and *knocking down*,
 as if Cæsars Motto. *I came, I see, I overcame*,
 were his Birthright? He that is such a con-
 querour in his *apprentisage*, what victoryes
 may not he promise himself, whē he is grown
 to be an experienced Master in his profes-
 sion? But let him take heed that his over da-
 ring doe not bring him in the conclusion to
 catch a *Tartar*, that is in plaine English to lo-
 se himself. The cause which he oppugneth is
 built upō a rock, though the wind bluster and

the waues beat, yet it cannot fall,

I heare moreover by those who seem to know him, that he was sometimes a Novice of our English Church, who deserted his Mother before he knew her; If it be so he doe, he oweth a double account for Schisme, and one which he wil not claw of so easily. And if no man had informed me, I should have suspected so much of my self: Wee find Strangers civill and courteons to us every where in our Exile, except they be set on by some of our own; but sundry of those who have run over from us, proved violent and bitter Adversaries without any provocation, (as *Mr. Serjeant* for example). I cannot include all in the same Guilt. Whether it proceed from the Consciouesness of their owne guilt in deserting us, at this time especially; or the Contentment to gaine Companions or fellow Profelites: or they find it necessary to procure themselves to be trusted; or it be injoynd to them by their Superiours as a Pollicy to make the Breach irreparable; Or what else is the true reason I doe not determine. But this wee all know that Fowlers doe not use to pursue those Birds with Clamour which they have a desire to catch.

His manner of writing is petulant railing and full of Prævarication, as if he had the

gift to turn al he touched into Absurdities
 Calumnies and Contradictions. Someti-
 mes in a good mode, he acknowledgeth my
 poore labours to be *a pattern of wit and indu-*
stry; and that there is much commendable in them
 At other times in his passion he maketh
 them to be *absurd, non sensicall, ridiculous and*
every where contradictory to them selves, and
 mee to be *Worse then a Madman or born foole.*
 Good words. If better were within better
 would come out. Sometime he confesseth
 mee to be *candid and downright,* and *to speake*
plaine; at other times he accuseth me for a
falsifier and a Cheater without ingenuity. A signe
 that he uttereth whatsoever commeth upon
 his tongues end, without regard to truth or
 falshood. If he can blow both hot and cold
 with the same Breath, there is no great re-
 gard to be had of him.

The *Spartans* brought their Children to
 love Sobriety by shewing them the detes-
 table Enormities which their Servants
 committed being Drunken: so the onely
 View of Mr. *Serjeants* railing writings are a
 sufficient Antidote to a staied man against
 such extreme scurrility. And I wonder that
 the Church of *Rome* which is so provident
 that none of her Sons in their writings
 swerve from their rule of faith, should per-
 mit them so Licentiously to transgresse the
 rule

rule of good manners : and whilst they seem to propugn true Piety , to abandon all Civility , as if Zeale and Humanity were inconsistent. When *Michaell* the Arch-angell disputed with the Devill about the body of *Moses*, he durst not bring a railing Accusation against him. Whether doth this man think him self to have more Privilege then an Archangell , or us to be worse then Devils ? When the Holy Ghost fell upon the Apostles it was indeed in fiery Tongues to expresse Devotion : but likewise in cloven tongues to expresse Discretion. *St. Paul* would have the *Servant of the Lord* to be gentle to all men, in meeknesse instructing those that oppose them selves , if God peradventure will give them repentance to the acknowledging of the truth.

2. Tim.

2. 24.

This is the right way to gaine soules. The mild Beames of the Sun wrought more effectually upon the Travailer, then the blustering Blasts of the Northwind. *Generosus est animus hominis. The mind of man is Generous* and is more easily led then drawn : The Lord was not in the loud wind nor in the Earthquake , nor in the Fire ; but in a still

1 Kings

19. 12. not.

voice. Such à one *Maister Serjeants* is
If he had objected but two or three Absurdities or contradictions, it had been able to have troubled a man , because there might

might have been some Verisimilitude in it :
 but when he Metamorphoseth my whole
 Discourse into absurdities and Contradictions,
 that they lye as thick as Samsons Enemies,
heaps upon heaps with the Lawbone of an Asse, it sheweth plainly that they are
 our made Dragons, without any reality in
 them. Like that strange Monster which a cunning
 Cheat promised to shew his credulous
 Spectators, An Horse whose head stood in
 the place of his Taile: And when all came
 to all, he him self had tyed the Horse to the
 manger the wrong way; There needs no Application.
 So an expert Puppet-player can at
 his pleasure make the little Actors chide
 and fight one with another, and knock their
 own heads against the Posts, by secret Motions
 which he him self lenderth them. So
 the Picture of a glorified Saint, by changing
 of the prospect, may be turned into a poore
 Lazar.

Judges
 15. 10.

He professeth that he hath the gift
 of *unprejudiced sincerity*, if he could be
 credited upon his bare word: but *Remember to Distrust*, was *Epicurus* his Jewell.
 No man proclaimeth in the Streets that
 he hath rotten Wares to sell: and Juglers
 when they are about to play their
 tricks use to strip up their sleeves in assurance

rance of faire dealing. What pledge he hath
given us in this Treatise of such Candor and
unprejudiced sincerity, wee may observe
by the sequels.

In summe (Reader he complaineth much
of *Wording*: yet he himself hath nothing but
words. He calleth earnestly for *rigid Demons-*
trations, but produceth none; And if the na-
ture of the subject would beare one, he know-
es a way how to turn it into a Contradiction.
He hateth Contradictions with all his heart.
Mistake him not, it is in another not in him-
self. It were to be wished that he knew a
little better what Contradictions are, least
innocent propositions go to wrack in his
fury under the Notion of Contradictions.
As poore old women doe for witches in
some part of the world. He is a great Friend
to Christian Peace, and a mighty *Desirer of*
Vnity if wee may trust his word; If he be
indeed, it will be the better for him one Day,
but who would have thought it, that scrat-
ching and biting among reasonable men
were a ready way to Vnity. I doubt it is but
such an Vnity as Rabshakeh desired be-
tween Senacherib and Hezekiah, a slavish
Vnity. I proposed but three Expedients in
the Conclusion of my Vindication of the
Church of England, to obtain a wished pea-
ce in Christendome, such as themselves can-
not

or deny to be lawfull, and all moderate
 men will judge necessary to be done. To re-
 duce the present Papacy to the Primitive
 forme, The Essentials of faith to the Pri-
 mitive Creed, And Publick and private de-
 votions to the Primitive Leiturgies: But
 his peaceable man is so far from listening
 to them, that he doth not vouchsafe to take
 notice of them; But in answer wisheth us
 to receive the roote of Christianity, that is Practi-
 call Infallibility in the Church, (he meaneth
 the Church of Rome) which being denied there
 is no religion left in the world. His stile is too
 sharp, his Iudgement over partiall, his Ex-
 perience too small, his sentences and censu-
 res over rash and' rigorous, his Advises too
 Magisteriall, to be a fit instrument of pro-
 curing peace. But let us listen to those
 truths which he proposeth whether they be
 as he avoucheth (with more Confidence
 then discretion) *as evident in themselves, as*
that two and three make five. If he can make
 his good, his worke is done: but if there be
 no such thing, as thou wilt find, learn that
 all is not gold that glisters; And let him
 take heed that' his new light be not an *ignis*
fatus, which maketh Precipices seem plaine
 wayes to wandring misled persons.

A SURREJOINDER

or

*Defence of the Bishop of Derrys Reply
to the Appendix of Mr. Wil-
liam Serjeant.*

The First part of his Rejoinder is a Corollary, drawn from his former Principles brought against *Doctor Hammond*. That little remains to be replied to mee in substantial points, Since neither can I deny there is now a breach made between us, Nor doe I pretend demonstrative and rigorous evidence, that the Popes Authority was an *Vsurpation*, Nor lastly doe I pretend that probable reasons are a sufficient ground to renounce an Authority so strongly supported by long possession, and *Vniversall* Delivery of immediate Forefathers as come from Christ, or that it was prudence to hazard a Schisme upon the uncertain Lottery of a Probability. These grounds are supposed by him to be demonstrated against *Doctor Hammond*, and are barely repeated here, to try if he can kill two Birds with one Bolt made of a Burre. But I refuse the Province at present as a needless and a thanklesse Office; N'eedlesse in

respect

respect of his learned Adversary, who will
 shew him sufficiently the weaknesse of his *Pag.*
 pretended Demonstration, And thanklesse, 543.
 in respect of him self, who had taxed mee in
 his Rejoinder of busying my self to answer
 an objection that was not addressed to me.

Yet least *Mr. Serjeant* should feign that I
 keeke Subterfuges, I wil briefly and clearly
 declare my Sense of his grounds as they are
 here proposed, that he may fight no more
 with his own shadow as it is his com-
 mon use; in hope I may recover his good
 opinion of my Candour and ingenuity. And
 if it please him, he may borrow *Diogenes* his
 Candle and Lanthorn at noonDay to search
 for contradictions.

First that there is a breach between them
 and us is too evident and void of Question.
 Whether they or wee be guilty of making
 this breach, They by excommunicating us,
 or obtruding unlawfull Conditions of their
 Communion upon us, or wee by seperating
 from them without sufficient Grounds, is
 a question between us. But that which
 changeth the whole state of the Question is
 this, If any Bishop or Church or Court
 Whatsoever, shall presume to change
 the ancient Discipline of the Church
 and Doctrin of Faith, either by Addition
 or by Subtraction, either all at once or by
 degrees

degrees, and in so doing shall make a Breach
between them and the Primitive Church
or between them and the present Catholic
Church; To separate from him or them
those things wherein they had first separated
from the Ancient or present Catholic
Church, is not Schism but true piety. Now
wee affirm that the later Bishops of Rome
did alter the Discipline of the Church and
Doctrin of Faith, by changing their begin-
ning of Vnity into a Plenitude and Univer-
sality of Sovereign Iurisdiction, and by
adding of new Essentialls of Faith to the
Creed; and in so doing had made a forme
Breach between them selves and all the rest
of the Christian World. Here the Hinge
of the Controversy is, moved. Hitherto-
wards all his supposed Demonstrations
ought to have looked. Neither will it avail
him anything to say *there can be no sufficient
cause of Schism*, for in this case the Separation
is not Schisme but the cause is Schisme.

Secondly if by *Demonstrative and rigorous
Evidence* he understand perfect Demon-
strations according to the exact rules of Log-
ick, Neither is this cause capable of such
demonstrations, nor can his *Mediums*
amount unto it; but if by *Demonstrative evi-
dence*, he understand onely convincing proofes,
as it seemeth by opposing it to probable
reasons

sons I have made it evident that the
 pes Authority which he did sometimes
 exercise in *England*, before the Reformatiō
 when they permitted him, and which he
 could have exercised alwayes *de futuro*, if
 he could have had his own will, was a mere
 usurpation and innovation never attempt-
 ed in the *British* Churches for the first six
 hundred yeares; Attempted but not admit-
 ted by the *Saxon* Churches for the next five
 hundred yeares; And damned by the Lawes
 of the successive *Norman* Kings ever since,
 destructive to the rights of the English
 Crown, and the Liberties of the English
 Church, as shall be maintained where soever
 occasion offers it self. Yet all this while I
 meddle not with his *beginning of Unity*; If
 he want that respect from me, it is his own
 fault.

And this includeth an answer to his third
 ground that the Papall Authority which
 he rejected, was so strongly supported by long
 possession and the Universall Delivery of Forefa-
 thers as come from Christ. He had alwayes for-
 esaw of right for his *beginning of Unity*, but
 no pretence, in the world for his *Soveraignty*
 power. To make Lawes, To repeale La-
 wes, to dispense with the Cannons of the
 Universall Church, to hold Legantine
 Courts, to dispose of Ecclesiasticall prefer-
 mentes

mētes to cal the subjets out of the kingdom
to impose tributes at his pleasure and
like. Wee will shew him such an usurpation
as this; Let him prove such a Papacy by
verfall tradition, and he shall be great
pollo to mee. Wee doe not hold it prudent
hazard a Schism upon probabilities; but trust
such a multitude of palpable usurpations
as wee are able to reckon up, so contrary
the fundamentall Lawes of England, which
were grounded upon the ancient Privileges
of the *Brittish* and *Saxon* Churches, together
with the addition of twelve new articles
Essentialls to the Creed at once by *Pius* the
fourth (I say addition not explication) and
more then probabilities. He conversed
altogether in Generalls, a *Papacy* or *Papacy*
pacy, which is commonly the Method of de-
ceivers: but if he dispute or treat with us
wee must make bold to draw him down to
particulars; Particulars did make the Breach.

I censured his light and ludicrous title
Down derry modestly in these words. It was
strange if he should brow a good cast who saith
his Bowle upon an under-song, alluding to the
ordinary and elegant expression, in our *Eng-
lish tongue*, Soale your bowle well, that is
be carefull to begin your work well,

Dimidium facti, qui bene cepit habet.

The

The Printer puts seales for soales, which
 by error of the presse any rationall man
 might have found out : but *Mr. Serjeants* pen-
 ns at random, telling the Reader, that I
 am *Myssically proverbiall*, that I am *far the*
quicker Bowler. Surely he did but dreame it.
 And that he him self is so *inexpert*, as not to
 understand what is meant by *sealing a Bowle*
upon an undersong. If he were such a stranger
 to his Mothers Tongue, Yet he might have
 learned of some of his friends what *soaling*
Bowle was, rather then burthen the presse,
 and trouble the World with such empty and
 impertinent Vanities Neither did his plea-
 sant humour rest here, but twice more in
 his short Rejoinder he is pursuing this in-
 nocent Bowle. Afterwards he telleth us
 that I was *beholden to the merry Stationer* for
 his Title, who without his knowledge or approba-
 tion would needs make it his *Post-past* to his
 ill of fare. This answer if it be true had ex-
 cused himself: but it sheweth that the Sta-
 tioner was over scurrilously audacious, to
 make such Antepasts and Postpasts at his
 pleasure. Neither is it likely that the com-
 poser was such a perfect stranger to our language
 as he intimateth in his Epistle, and the merry
 Stationer so well versed in our *Vnder songs*.
 But after all this he owneth it by telling us

that *the yeast was very proper and fatall*. Yes
fatall as it is for his Rejoinder to contain
666 pages, which is just the number of the
Beast. His merry Stationer might easily
have contrived it otherwise, for feare
of a fatality, by making one page more or
lesse, but his mind was otherwise taken
up, how to cheat his Customers with counter-
feit bills of fare, which they will
never find, I will endeavour to cure him
of his opinion of fatality.

Seet: I. Cap: I.

BEcause *Mr. Serjeant* complaineth much
of *wording*, and yet giveth his Reader no-
thing but words, and calleth so often for
rigorous demonstrations, yet produceth nothing
for his part which resembleth a strict de-
monstration; and because this first part of
his discourse is the *Basis* or ground work
of the whole building, whereof he boasted
that it *doth charge the guilt of Schisme upon our*
Church, not onely with Colour but with undeniable
Evidence, I will reduce his discourse into a
Logicall forme, that the Reader may see
clearly where the Water sticks between us.
Whatsoever he prateth of a *rigorous demon-*
strative way as being onely conclusive, it is but a
Copy of his countenance. He cannot be

igno-

ignorant, or if he be, he will find by experience that his glittering principles will fail him in his greatest need, and leave him in the dirt. I have known sundry fantastick Persons who have been great pretenders to demonstration, but always unsuccessfull, and for the most part ridiculous. They are so conceitedly curious about the premises, that commonly they quite mistake their conclusion: Causes embroiled with Circumstances, and those left to the election of free agents, are not very capable of demonstration.

The Case in difference between us is this as it is stated by me, *Whether the Church of England have withdrawn themselves from obedience to the Vicar of Christ and separated from the Communion of the Catholick Church.*

*Schism
disar-
med:
pag.
306.*

And upon those Terms it is undertaken by him in the words immediatly following, *And that this Crime is justly charged upon his Church not onely with colour, but with undeniable Evidence of fact; will appeare by the position of the Case, and the nature of his exceptions.* We have the State of the Controversy agreed upon between us, Now let us see how he goeth about to prove his intention.

What Church soever did upon probable reasons without any necessary or convincing grounds

grounds break the Bonds of Vnity ordained by Christ in the Gospell and agreed upon by all true churches, is guilty of Schisme: But the Church of England in Henry the eighths dayes did upon probable reasons without any necessary or convincing grounds, break the Bonds of Vnity ordained by Christ in the Gospell and agreed upon by all true churches, therefore the church of England is guilty of Schisme. I doe readily assent to his Major proposition, and am ready to grant him more if he had pleased to insert it, That this Church is Schismaticall which doth breake the Bonds of Unity ordained by Christ in his Gospell, whatsoever their reasons be whether convincing or probable, and whoe soever doe either consent to them or dissent from them: But I deny his Minor which he endeavoureth to prove thus.

Whatsoever Church did renounce or reject these two following Rules or Principles, first that [The doctrines which had been inherited from their Forefathers as the Legacyes of Christ and his Apostles were solely to be acknowledged for Obligatory, and nothing in them to be changed.] Secondly that [Christ had made St. Peter first or chief or Prince of his Apostles, who was to be the first mover under him in the Church after his departure out of this World, and to whom all others in difficulties concerning Matters belonging to Universall faith or Govern-

ment, should have reconrse, and that the
 Bishops of Rome as Successors from St.
 Peter inherited from him this privilege in
 respect of the Successors of the rest of the
 Apostles.) *That Church did breake the Bonds of*
Unity ordained by Christ in his Gospell, and
agreed upon between the Church of England and
the Church of Rome and the rest of her commu-
nion. But the Church of England did all this in
Henry the eyghts dayes that very yeare where in
this unhappy Separation began, upon meerly pro-
bable, no convincing grounds. Therefore &c.
 To his former Proposition I made this
 exception, *That he would obtrude upon us the*
Church of Rome and its dependents for the Ca-
tholick Church, Upon this he flyeth out as
it is his Custome into an invective discourse,
telling me, I looke a squint at his position of the
case. He will not find it so in the conclu-
sion, And that I strive Hocus-pocus like to
divert my Spectators eyes, With a great deale
more of such like froath, where in there is
not a syllable to the purpose, except this,
that he did not mention the word Catholick in
that place. The greater was his fault. It is a
double Solecisme in Logick not to conclude
contradictorily. I did mention the Catho-
lick Church in the State of the Question.
Whether the church of England had separated
it self from the communion of the Catholick

Church. And he had undertaken in the words immediately following, *to charge that very Schisme upon us with undeniable Evidence*. And in his very first Essay shuffles out the *Catholick Church*, and in the place thereof thrusts in the *Church of Rome* with all the rest of her communion. He might have known that wee doe not looke upon the Church of Rome with all the rest of her Communion as the Catholick Church; Nor as above, fifth part of the present Catholick Church. And that wee doe not ascribe any such infallibility in necessary truths to the Roman Church with all her dependants, as wee doe to the true Catholick Church, Nor esteem it alwayes Schismaticall to separate from the modern Roman Church, Namely in those points wherein shee had first separated both from the primitive Roman Church, and from the present Catholick Church. But wee confesse it to be alwayes Schismaticall to separate from the Communion of the Catholick Church united. That much he ought to take notice of, and when he hath occasion hereafter to write upon this Subject, not to take it for granted (as they use to doe) that the Catholick Church and the Roman Church are convertible termes, or tell us a Tale of a Tub what their Tenet is, that these Churches which continue

Communion with the Roman are the onely true Churches. We regard not their Schismaticall and uncharitable Tenets now, no more then we regarded the same tenets of the donatists of old. They must produce better authority then their Owne, and more substantiall proofes then he hath any in his Budget, to make us believe that the Roman Church is the Catholick Church. It is charity to acknowledge it to be *a Catholick church* inclusively; but the greatest uncharitable-esse in the world to make it *the Catholick Church* exclusively, that is to seperate from Christ and from hope of Salvation as much as in them lieth all Christians who are not of their own communion. Howsoever, it is well that they who used to vaunt that *the Enemy trembled at the name of the Catholick Church*, are now come about themselves to make the Catholick Church to be an appendix to the Roman. Take notice Reader that this is the first time that *Mr. Seruant* turns his back to the question, but it will not be the last.

My next taske is to examine his two *the rule* Rules or Bonds of Unity. And first con- *of faith.* cerning his Rule of faith, I doe not onely approve it but thanck him for it; and when I have a purpose to confute the 12 new Articles of Pius the fourth, I will not desire a

better *medium* then it. And I doe Cordially subscribe to his Censure, that the Transgressors there of are indeed those who are truly guilty of that horrid Schisme which is now in the Christian world.

*The rule
of Go-
vernment
No con-
troversy
about
St. Pe-
ter.*

To his second Rule or principle for Government that *Christ made St. Peter First* or *Chiefe* or *Prince* of his *Apostles*, who was to be the first mover under him in the church, after he departed out of this world to whom all others should have recourse in greater Difficulties. If he had not been a meer Novice and altogether ignorant of the Tenets of our English Church, he might have known that we have no controversy with *St. Peter*, nor with any other about the privileges of *St. Peter*. Let him be *First*, *Chiefe*, or *Prince* of the *Apostles*, in that sense wherein the Ancient Fathers stiled him so, Let him be the First Ministeriall Mover, And why should not the Church have recourse to a prime Apostle or Apostolicall Church in doubtfull cases? The learned Bishop of *Winchester* (of whom it is no shame for him to learn) might have taught him thus much, not onely in his own name, but in the name of the King and Church of England, Neither is it questioned among us whether *St. Peter* had a Primacy, but what that Primacy was. And

Resp.
ad Apol
Bellarminacy, but what that Primacy was. And
c. I.

whether it were such an one as the Pope doth now
 Challenge to him self, and you challenge to the
 Pope. But the King doth not deny Peter to have been
 the prime and prince of the Apostles. I wonder
 how it commeth to passe that he who com-
 monly runneth over in his expressions,
 should now on a suddain become so dry u-
 pon this Subject. If this be all, he needed not
 to have forsaken the Communion of the
 Church of England, for any great Devotion
 that he beareth to St. Peter, more then wee.

But yet wee dare not rob the rest of the
 Apostles to cloath St. Peter. Wee say clearly
 with St. Cyprian, *Hoc erant utique & ceteri*
Apostoli quod fuit petrus, pari consortio pradi-
monis & Potestatis, sed exordium ab Unitate
proficiscitur, Primatus Petro datur in una christi cyprian
Ecclesia & una cathedra monstratur, The rest of de Vni-
 the Apostles were even the same thing that Peter tale Ec-
 was, endowed with an equall Fellowship both of clef.
 honour and power: but the beginning commeth
 from Vnity, the primacy is given to Peter, to
 signify one church and one chaire. It is wel
 known that St. Cyprian made all the Bishop
 ricks in the World to be but one masse, *Epis-*
copatus unus est Episcoporum multorum concordia
numerositate diffusus, where of every Bishop Ep. 52.
 had an entire part, *cuius a singulis in solidum ad An-*
imas teneatur. All that he attributeth to ton. de
 St. Peter is this beginning of Vnity Vnitatis,
 B 5 this

Ep. 55.
ad Cor-
nel.

this primacy of Order, this preheminance to be the Chief of Bishops, To be Bishop of the principall Church from whence Sacerdotal Unity did spring, Yet I esteem St. Ciprian as fauorable an Expositor to the See of Rome, as any they wil find out of their own Chaires that was no more interess'd in that See. This primacy neither the Ancients nor we doe deny to St. Peter, of Order, of Place, of preheminance, if this first Movership would serve his turn, this controversy were at an end for our parts. But this Primacy is over leane, The Court of Rome have no Gusto to it, They thirst after a visible Monarchy upon earth, an absolute Ecclesiasticall Sovereignty, A power to make Canons, to abolish Canons, to dispense with Canons, to impose pensions to dispose dignities, to decide Controversies by a single Authority. This was that which made the breach, not the innocent Primacy of St. Peter, as I shall demonstrate by evident proofes as cleare as the noone day light.

Observe Reader that Mr. Serjeant is making another *Vagare* out of the lists, to seeke for his Adversary where he is sure not to find him, here after if he have a mind to employ his pen upon this subject and not to barke at the Moonshine in the water, let him endeavour to demonstrate these foure things

things which wee deny indeed.

First that each Apottle had not the same power over the Christian world by virtue of Christ Commission (*As my Father sent mee Io. 20, send I you*) which *St. Peter* had. 21.

Secondly that *St. Peter* ever exercised single Iurisdiction over the persons of the rest of the Apostles, more then they over him besides and over and above his Primacy of Order, or beginning of Vnity.

Thirdly that *St. Peter* alone had his Commission granted to him by Christ as to an Ordinary Pastour, to him and his Successors, And all the rest of the Apostles had their Commissions onely as *Delegates* for term of life; This new hatched Distinction being the foundation of the present Papacy, I would be glad to see one good author for it, who writ within a thousand yeares after Christ.

Lastly that the Sovereignty of Ecclesiasticall power and Iurisdiction rested in *St. Peter* alone, and was exercised by him alone, and not by the Apostolicall College, During the hystory of the Acts of the Apostles.

Now let us proceed from *St. Peter* to the Pope which is the second part of his rule of Government. *The power of the Pope as Successors of St. Peter inherited from him to Saint Peter, his Privilege in respect of the Successors of the Peter, rest of the Apostles, And actually exercised this power*

power in all the Countreyes which kept Communion with the Church of Rome. what Privilege? To be the first Bishop, the Chiefe Bishop, the principall Bishop, the first mover in the Church, just as *S. Peter* was among the Apostles? we have heard of no other Privilege as yet. If a man would be pleased out of mercy pitty to his starving cause, to suppose thus much, what good would it doe him? Doubt he think that the pope or the court of Rome would ever accept of such a Papacy as this, or thanke him for his double diligence? He must either be meanly versed in the Primitive Fathers, or give little credit to them, who will deny the Pope to succede *St Peter* in the Roman Bishoprick, or will envy him the Dignity of a Patriarck within his just Bounds. But the Breach between *Rome* and *England* was not about any Episcopall, Metropolitanall, or Patriarchall rightes. A Patriarch hath more power in his proper Bishoprick then in his province, and more in his province then in the rest of his Patriarchate; But papall power is much greater then any Bishop did ever challenge in his own Diocese. In my answer to his Assumption I shall shew sufficiently who they were that Brake this Bond of Union, and are the undoubted Authors of Schisme.

But before I come to that, I would know *But*
 him, how the Pope did *inherit*, all those *not by*
 Privileges which he claimeth from *S. Peter, Christs*
 how he holds them by *Christs own ordina- Ordina-*
in holy Scripture? First all the Eastern *tion.*
 Churches doe affirm Confidently that the
 most of these Privileges were the Legacyes
 of the Church representative, not Christ or
Peter. And it seemeth to be very true
 that of the Councell of *Sardica, Si vobis*
placet Sancti Petri memoriam honoremus. If all *Conc.*
 these Privileges were the popes inheritance, *Sardic.*
 was not wel done of old *Ofius* to put *c. 3.*
 upon a *Si placet*, content or not content,
 and to assigne no better a reason then, the
 memory of a Predecessour. It seemeth like-
 wise to be true by the Councell of *Chalce-*
on which attributeth the primacy of the
 Bishop of Rome to *the Decrees of the Fathers*
and the dignity of that imperiall City; And when *Conc.*
 the popes Legates did oppose the Acts of *chal-*
 the Councell, *Gloriosissimi Indices dixerunt, ced.*
The most glorious Iudges said, let both parties Act 16.
plead the Canons. By the Canons that great
 Councell of six hundred and thirty Fathers
 did examin it; By the Canons they did deter-
 mine it, there was no inheritance pretended
 in the case.

Secondly if the Bishop of Rome did hold all his privileges by inheritance from St. Peter how much were three successive Popes overseen, *Zosimus*, *Bonifacius* and *Calestus*, to ground them upon the canons of the council of Nice, and these either counterfeited or mistaken for the Canons of Sardica? Which when the African Fathers did find out by the true Copies of the Nicene Council they rejected that part of papall power as appeareth by their Letter to Pope *Calestus*. We earnestly beseech you that hence forwards you doe not easily lend an eare to such as come from hence nor (which *Bellarmino* cuts off guilefully) receive any more such as are excommunicated by *ad calc.* us into your Communion, with this sharp intimation, *Ne fumosum typum seculi in Ecclesiam videamur inducere*. If soveraigne Iudicature did belong to the Bishop of Rome by Inheritance from St. Peter why did three popes challenge it upon the Decrees of the Nicene Council and why did the African Fathers refuse to admit it, because it was not contained in the Decrees of the Nicene Council?

Thirdly if by Prince of Bishops Mr. Serjeant understand an absolute Prince, one who hath a single Legislative power, To make Canons, To abolish Canons, to dispense with Canons as seemeth good in his owne

Epist.

Conc.

Afr.

ad calc.

stin.

ne cies, if he makea greater Prince
 of the Steward, then he doth of the
 house of Christ, he will have an hard Pro-
 vidence to secure him self from the Censures
 of the Councells of *Constance* and *Basile*, in
 the former of which were personally pre-
 sent one Empercur, Two Popes, Two Pa-
 triarchs, All the Cardinalls, The Embassa-
 dors of all' the Princes in the West, and the
 power of Occidentall Schollars, Divines
 and Lawyers. These had reason to know
 the Tradition of the Universall Church as
 well as *Mr. Serjeant*.

Lastly, before he can determine this to
 be an undeniable truth, and a necessary Bond
 of Unity, that the Bishop of Rome is Inheri-
 tor of all the Privileges of *St. Peter*, And
 that this Principle is Christs own Ordination re-
 corded in Scripture, He must first reconcile
 himself to his own party. There is a Co-
 mentary upon the Synodall answer of the
 Councell of *Basile*, printed at *Colone* in the
 year 1613. wherein is mainteined, That commēt
 the Provinces subject to the foure great Pa- in Epist.
 triarchs from the beginning of the Christi- Synodal
 church, did know no other Supreme but their conc.
 Patriarchs. And if the Pope be a Primate *Basile*.
 is by the church, If he be the head of all chur- pa. 31.
 ches it is by the church: and where as wee have b.
 said that it is expressed in the councell of *Nice*, Idem
 right, pag. 40.

that many provinces were subjected to the church of Rome by Ecclesiasticall custome, and no other right, the Synod should doe the greatest injury to the Bishop of Rome, if it should attribute such things to him onely from Custom, which were due by divine right.

Gerson Gerson goeth much more accurately to worke, distinguishing Papall rights into three sorts, divine, which the Bishop of Rome challengeth by succession from St. Peter, Canonically, wherewith he hath been trusted by generall councells, and civil, granted to that See by the Emperours. Of the first sort he reckoneth no more but three privileges, To call councells, To give sentence with councels, and Jurisdiction purely spiritual.

Acta conc. primi Pisani impres. Lutet. 1612. fol. 69. Among the Propositions given in the councell of Pisa and printed with the acts of the councell, wee find these, first, *Although the Pope as he is the Vicar of Christ may after a certain manner be called the head of the church: Yet the Unity of the church doth depend necessarily, or receive its beginning from the Unity of the Pope.* Secondly, *The church hath power and authority originally and immediately from Christ its head to congregate itself in a generall councell, to preserve its Unity.* It is added, *That the Catholick church hath this power also by the Law of Nature.* Thirdly,

Acts of the Apostles we read of four Coun-
 cils Convocated and not by the Authority of
 Peter, but by the Common Consent of the
 Church. And in one Councell celebrated at Je-
 rusalem, we read not that Peter, but that James
 the Bishop of the Place was President and gave
 sentence. He concludeth that the Church
 may call a Generall Councell without the Au-
 thority of the Pope, and in some cases, though
 he contradict it. The Writers and writings
 of those times, in and about the Councells
 of Constance and Basile and the two Pi-
 an Councells, doe a bound with such ex-
 pressions.

Can. lo.
 l. 6. c. 8

Before he determined positively. The Cus. con
 divine right of the Papacy as it includeth cord. ca
 Sovereignty of power, he ought to con- tholl. 2.
 sider seriously what many of his own ca. 34.
 friends have written about it; as Canus, Stap. de
 and Cusanus, and Stapleton, and Soto, and princip.
 Driedo, and Segovius, as it is related by Aene- fid. l. 13
 as Sylvius and others; That the Popes succes- ca. 15.
 sion is not revealed in Scripture; That Christ Soto 4.
 did not limit the Primacy to any particular sent. dist
 Church; That it cannot be proved that the 24. qu.
 Bishop of Rome is perpetuall Prince of the 2. art. 5
 Church; That the Glosse which preferreth Driedo
 the Iudgement of the Roman Church be- de Ec-
 fore the Iudgement of the world, is very clefiast.

C

fin- dog. li.
 4. c. 3.

Contar. singular and foolish and unworthy to be followed
De Po- That it hath been a Catholick Tenet in former
rest. times, that the Primacy of the Roman Bishop

Pont. doth depend not upon divine, but human right and
 the positive Decrees of the Church; That

Aen. men famous in the Study of Christian The-
Sylvius ology, have not been affraid in great As-
de Gest. semblies to assert the Humane Right of the Po-
Bas. pe. He ought to Consider what is said of a
Conc. li great King, that Theologians affirmed that

Steid. right, but when the King required them to prove
li. 9. it, they could not demonstrate it, And lastly
 what the Bishop of Chalcedon saith lately,

Bish To us it sufficeth that the Bishop of Rome is St.
Chalc: Peters Successour: and this all Fathers Testify,
Survey and all the Catholick Church believe, but whe-
cap. 5. ther be he so Jure divino or humano, is no point
 of Faith.

Schism: Here Reader I must intreat the before
disar- wee proceed a step-farther to read his Af-
med Pa. firtion, That the Constant belief of the Catho-
304. lick World was and is, that this Principle (na-
 mely that the Bishop of Rome inherited the
 Privileges of St. Peter) is Christs own Ordina-
 tion recorded in Scripture, Derived to us by the
 strongest Evidences that our Nature is capable
 of. What a strange Confidence is this, to
 tell

tell his Readers he cares not what so it may
 serve his present turne? How should this
 be recorded in Scripture, when the Bis-
 hoprick of Rome is never mentioned in
 Scripture, nor so much as whether St. Pe-
 ter ever was at Rome? Except we under-
 stand Rome by Babilon? but this is too re-
 mote and too obscure to be Christs own
 Ordinance. If it be recorded in Scripture,
 it is either in *Nicodemus* his Gospell, or in
 the Popes Decretall Epistles. Certainly in
 the Genuine Scriptures there is no manner
 of mention of any such thing.

Heare the ingenuons Confession of a *Bellar*
 more learned Adversary, *Neque Scriptura de Rom*
neque Traditio habet, sedem Apostolicam ita Pont
exam esse Roma ut inde auferri non possit. there is *lib. 4.*
 neither Scripture nor Tradition to prove that the *cap 4.*
 See of St. Peter is so fixed to Rome, that it cannot
 be taken from it. But if the Bishop of Ro-
 me did in herit the Privileges of St. Peter
 By Christs own Ordination recorded in
 Scripture, then there were Scripture to
 prove, that it cannot be taken away from
 Rome. Christs own Ordination must not be
 violated Behold both his grounds Scrip-
 ture and Tradition swept away at once.

Schism.

It will not serve his turne at all to say *dis. pa.*
 that 504.

Schism. that I take him in a Reduplicative sense as if
dis.pa. he spake of the Bishops of Rome, as of Rome.
 504. Either Christ ordained in Scripture that
 the Bishop of Rome should succeed St. Peter
 in his privileges, And then the Bishop of
 Rome doth succeed St. Peter as Bishop of
 Rome. Or Christ hath not ordained in Scrip-
 ture that the Bishop of Rome should suc-
 ceed S. Peter in his privileges; And then the
 Bishop of Rome is not St. Peter Successour
 by Christs own Ordination. He may be
 his Successour upon another account: but
 by Christs own Ordination recorded in
 Scripture he cannot be, if Christ himself
 have not ordained in holy Scripture that
 he should be. He addeth that I picked these
 Words out of a Paragraph a lease after. Why
 is he not bound to speake truth in one Pa-
 ragraph as well as in another? Or will
 he oblige one who combatteth with him
 to watch where his Buckler is ready, and
 be sure to hit that? These things are as
 cleare as the light, and yet he vapours
 about my frivolous and impertinent answers
 and wonders how any man can have the pa-
 tience to read such a Trifler. Let the Reader
 judge which Scale hath more weight in it.

How should the Bishop of Romes Success-
 sion to S. Peter be Christs own ordination recor-
 ded in Scripture; When both his fellowes

and he himself doe ground the Bishop of
 Romes right to succeed St. Peter upon the
 fact of St. Peter: Namely, his dying Bis-
 hop of Rome? Bellarmine distinguisheth *Bell. de*
between the Bishop of Romes succession of St. Rom.
Peter, and the reason of his succession. The Pont. l. 2
succession (saith he) is from the institution of cap 12.
Christ by divine right, and commanded by and lib.
Christ: but the reason of this succession is from 4. ca. 4.
the fact of S. Peter, not from the institution of
Christ. Which two are irreconcilable.
 For if Christ commanded that the Bishop of
 Rome should succeed St. Peter (as he saith)
Deus ipse iussu Roma fuit Apostolicam Petri se-
dem, quæ autem jubet Deus mutari ab hominibus
non possunt, Then not the fact of St. Peter,
 but the mandate of Christ is the reason of
 the succession. There was no need that St.
 Peter should doe any thing to perfect the
 commandement of Christ: and on the other-
 side, if the fact of St. Peter be the true rea-
 son of the Bishop of Romes succession, the
 it is evident that Christ did not command it.
 Let it be supposed to avoid impertinent
 disputes, that Christ did create a chiefe Pa-
 stor of his church as an office of perpetuall
 necessity, without declaring his pleasure
 who shall be his successour, but leaving
 the choise either to the chief Pastor or to
 the church: without peradventure in such a

case the Office is from Christ and the perpetuity is from Christ, but the right of the Successour is from them who make the application, whether it be the Chief Pastor, or the Church. The Succession of the Bishop of *Rome* to *S. Peter*. is not recorded in Scripture; The fact of *S. Peter*. is not recorded in Scripture. No such ordination of Christ is recorded in Scripture, that the Bishop of *Rome* should be *S. Peters* Successour; And therefore it is impossible that the Succession of the Bishop of *Rome* to *S. Peter*. should be Christs own ordination recorded in Scripture.

Then what is this Mandate of Christ and where contained? The Mandate is an old legend contained in *Marcellinus*, *Leo*, *Athanasius*, *Ambrose*, and *Gregory*, some of which point at it, others relate it, some define it as a matter of faith. That *S. Peter* a little before his Passion being ready to depart out of *Rome* did meeete Christ in the gate who told him that he came to *Rome* to be Crucified againe, Thereby intimating that *St. Peter* must suffer martyrdom there. Here is no mandate of Christ to *S. Peter* to fixe his See at *Rome*, much lesse that he should place it there for ever, never to be removed. True (saith *Bellarmino*)

mine) but yet non est improbable Dominum
 etiam aperire iussisse ut Sedem suam Petrus ita fi-
 gureret Roma ut Romanus Episcopus absolute
 succederet. It is not improbable that the
 Lord did command plainly that Peter should fixe
 his See at Rome, that the Roman Bishop should
 succeed him absolutely. Alas? this is but a
 poore ground to build a mans faith upon,
 that it is not improbable. And therefore
 the laid Author proceedeth, Tamen si forte
 &c. Alibonh peradventure it be not of divine
 right that the Roman Bishop because he is the
 Roman Bishop, doth succeed S. Peter in the
 prefecture of the Church.

And though it were supposed a point of
 faith, That the Bishop of Rome were S.
 Peters Successour: Yet it cannot be a
 point of faith that Pope Urban or Pope
 Clement are S. Peters Successours, and true
 Bishops of Rome, because there can be no
 more then morall Certainty for it. Who
 can assure us of their right Baptisms and
 right Ordinations, according to the com-
 mon Roman grounds? How can wee be
 sure of their Canonick Election, that
 two third parts of the Cardinalls did con-
 curre, or that the Election by Cardinalls
 now, and by the Emperours, and by the
 people formerly were all Authentick,

formes , though I doubt not but any of these might serve to obtaine an humane right ? But especially what can secure us from the taint of Simoniacall Pravity, which they who knew the Intrigues of States doe tell us hath born too great Vogue in the Conclave of late dayes ? And if it cannot be a point of Faith to believe the present Pope is *St. Peters* Successour for these reasons ; neither can it be a point of Faith that any of them all hath been his Successour for the same reasons. I doe not urge these things to encourage any man to withdraw Obedience from a lawfull Superiour, either upon improbable or probable suppositions but to shew their temerarious presumption who doe soe easily chāge humane right into Divine right , and make many things to be necessary points of Faith , for which there uever was revelation or more then Morall Certainty.

Seſt. I. Cap. II.

Orall

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The next thing which offereth it self to our Consideration is his *Minor Proposition*, Whether the church of England doe breake these Bonds of Vnity &c. But I hold it more Methodicall to examine

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first the Proofes of his Major, That *these* were the right Bonds of Vnity, and so dispatch that part out of my hands.

All which was agreed upon unanimously between the Church of Rome and its dependents, and the Church of England, and deliured from hand to hand in them all by the Orall and immediate Tradition of a World of Fathers to a world of Children successively, as a rule of Faith or Discipline received from Christ and his Apostles, which so vast a Multiitude of Eye witnesses did see visibly practised from Age to Age, is undoubtedly true, and such a rule is infallible and impossible to be Crooked.

But these two Rules are such Rules.

And so he concludeth that *they* are incapable of Usurpations, and as easy to teach faith as Children learn their *A B C*.

I have given his Argument as much force and edge as I could possibly; but all this Wind shakes no Corn. His other two Rules were not so much to be blamed; as this Rule of Rules, Orall and immediate Tradition. Of such Orall and immediate *Mat.* Tradition it was that our Saviour told the 15. 6. Scribes and Pharisees, That *they made the Commandements of God of none effect by their 1. Pet. Tradition, And St. Peter told the dispersed 1. 18.*

Iewes , that they were redeemed by the blood of Christ from their vain Conversation received by Tradition from their Fathers. These were, such Traditions as The Iewes pretended they had received from *Moses and the Prophets* : as the Romanists pretend now to have received their Traditions from *Christ and his Apostles*. Otherwise, wee doe not onely admit Orall Traditions in generall, as an excellent Introduction to the Doctrine of saving truth, and a singular help to expound the holy Scriptures : but also particular unwritten Traditions derived from the Apostles and delivered unto us by the manifest Testimony of the Primitive Church, being agreeable to the holy Scriptures. The Apostles did speak by inspiration as well as write, and their Tradition whether by word or writing indifferently was the word of God, into which faith was resolved : The Traditions of the Catholick Church of this present or another age, have this Privilege, to be free from all Errours that are absolutely Destructive to Salvation : but this they have not from the nature of Tradition ; which is subject to Errour, to Corruption, to Change, to Contradiction :

Mobilitate viget viresque acquirit eundo.

but

but from the speciall Providence and protection of Christ, who hath promised to be with his Church untill the end of the World.

In summe, I deny both his Propositions, First his Major. Immediate Tradition from Parents to Children is not a certain and infallible Rule of Truth and Faith. Traditions are often doubtfull, doe often change with the times, and sometimes contradict one another: As we see in the Different Traditions of the Eastern and Western Churches about the observation of Easter; And the Councells of *Nice* and *Frankford* about Images &c. Neither points of Faith nor Papall rights are so visible as he imagineth. Credulity, and Ignorance, and Prejudice, and Passion, and Interest, doe all act their parts. Upon his Grounds there can be no Ecclesiasticall Usurpations: yet Experience teacheth us that there have been such Usurpations in all Ages. If he had reason to renounce the immediate Tradition of his Father and Grandfather and great Grandfather; Then others may have the like and better reasons. Let him believe the Suns dancing upon Easter morn, and the Swans singing, and the Pellicans digging of her Breast with

with her Bill, and all the Storyes of King
Arthur and *Robin Hood*, for it may be
 hath received all these from his Elders by
 immediate Tradition.

He him self Confesseth that *the possession
 of government must be such a possession as may be
 presumable to have come from Christ, not
 such an one as every one knowes when it began*
 P. 49. To what purpose is it to pre-
 tend tradition for all those branches of Pa-
 pall power which are in controversy be-
 tweene them and us, seeing all of them had
 their first originall eleven hundred years
 after Christ ?

Secondly, this is not all, he ascribeth mo-
 reover too much to the immediate Tradi-
 tion of the present Church, but much more
 then too much to the immediate Tradition
 of his elders, to make it absolutely infallible
cui non potest subesse falsum, and to resolve
 Faith into it, The last resolution of Faith
 must be into that which is formally the
 word of God. The voice of the pre-
 sent Church may be materially the word
 of God in regard of the matter and
 thing testified : but it cannot be formally
 the word of God, in respect of the Witnes-
 ses and manner of testifying. But imme-
 diate Tradition is often a Seminary of Er-
 rours.

Thirdly

Thirdly he makes the Orall and immediate Tradition of Fathers to their Children, to be a more ready and a more safe Rule of Faith then the holy Scriptures, which are the Canon of Faith; and so ready, that it is as easy, as for Boyes to learn their A B C. and so safe, that it is impossible to be made crooked.

Lastly he Confoundeth the Tradition of the Roman Church with the Tradition of the Catholick Church: yet the one is but particular, the other Uuiversall Tradition,

Saint Augustine setteth us downe a certaine rule how to know a true genuine Apostolical tradition; *Quod universa tenet Ecclesia, nec Conciliis institutum sed semper Retentum est, non nisi auctoritate Apostolica traditum verissimum creditur.* *Aug. lib. 4. contra Donatistas cap 24.*

Whatsoever the whole Church doth hold, which was not instituted by councells, nor allwayes received, is most rightly beleened to have bene delivered by Apostolicall authority.

These three markes, conjointly do most firmly prove an Apostolicall Tradition. I do not denie but that there have bene Apostolicall Traditions which have wanted some of these Markes, but they were neither necessary to salvation, nor can be proved at this day after sixteene hundred yeares to have bene Apostolicall Traditions.

Whatsoever wanteth either universality or per-

perpetuity is not absolutely necessary. Neither can the reception of one Apostolicall Church proue a tradition to be Apostolicall, if other Apostolicall Churches do reject it, and contradict it.

To conclude we give all due respect to Tradition ; but not so much to Orall Tradition as to Written Tradition , as being more certain, lesse subject to mistakes, and more easily freed from mistakes , *Littera scripta manet*. A serious person if he be bound to deliver a long message of importance from one to another, will be carefull either to receive it in writing, or put it in writing. Nor so much to particular *immediate* Tradition, as we do to Vniversall and perpetuall tradition. He overshooteth himself beyond all aime in affirming of immediate and Particular Tradition, that where it hath place it is impossible for usurpations or abuses to enter or find admittance. He might as well tell us that it is impossible to make a crooked line with a leaden Rule. Particular Tradition is flexible and is often bended according to the interests and inclinations of particular ages and places and persons. He saith, that there can be no encroachments so as men adhere to this method that immediate Tradition. He telleth us that they

they did adhere to this Method, and that
 there was such immediate Tradition: and
 yet we have seen and felt that encroach-
 ments and vsurpations and abuses, did not
 only creep into the Church, but like a
 violent Torrent did beare down all oppo-
 sition before them. I produce but two
 Witnesses, but they are beyond exception.
 The one is Pope *Adrian* the sixth in his
 instructions to his Nuncio *Franciscus Che- Apud*
gains when he sent him to the German *Goldast*
 Princes at the diet of Nuremberg, Wee know *Const.*
 that in the holy See for some yeares past, many *Imper.*
 things have been to be abominated, *Abuses in* *pa. 29.*
spirituall things, Excesses in Mandates, and all
things changed perversly. Neither is it to be
surveiled at, if sicknesse descend from the head
the members, from the Chiefest Bishops to other
inferiour Prelates, &c. And againe, Wherein
so much as concerneth us you shall promise,
that wee will doe our uttermost endeavour, that
the first place this Court from whence perad-
venture this evill hath proceeded may be refor-
med, that as the Corruption flowed from thence
all inferiours; so like wise the health and re-
formation of all may proceed from thence. Pope
Adrian Confesseth abominable abuses, and
 excesses, and perverse mutations and cor-
 ruptions; and yet *Mr. Serjeant* would make
 us be

us believe that where this Method of Or
and immediate Tradition is used, there
be no changes. Either this Method was
used, or this Method is not a sufficient
servative against innovations: both way
his demonstration falleth to the ground.

My other Witnesse is the Councell
nine cheife Cardinalls, who upon the
Oaths delivered up as their veredict,
bundle of abuses, *grievous abuses, abuses*
to be tolerated, (they are their own wor
ye a *Monsters*, to Paul the third in the year
1538; beseeching him that *these spots*
be taken away, which if they were admitted in a
Kingdome or Republick would streight bring
p. 1612 *to ruine.* Never any man did make encroach
O 140. ments and innovations to be impossible
fore this man.

There His assumption is as false as his may
was no proposition, *But these two Rules* (where
Tradition this is one part, that the Bishops
tion for Rome as Successors of S. Peter did inher
the Di- from him this privilege to be the first
vine Chiefe or Princes of Bishops, &c.) W
right of agreed upon unanimously between the church
the Pa- me and its dependents and the church of England
pacy. and delivered from hand to hand in them
the Orall and immediate Tradition, of a World
of Fathers to a World of children success

a Rule of discipline received from Christ and his Apostles, &c. If all this were true, it concerneth us nothing we may perhaps differ from them in judgment, but have no formed quarrell with them about this that I know of. We are willing to submit not onely, to the Ordinances of Christ, but to the just Ordinances of man, and to yeeld for the common Peace and Tranquility of Christendom, rather more then is due, then lesse. But otherwise how was that unanimously agreed upon between the Churches of Rome and England, and so delivered by Fathers to Children as a thing accorded, whereof the Church of Rome is no better accorded within it self unto this day? I mean concerning the divine right of the Bishop of Rome to all the privileges of St. Peter, when the Popes greatest Champions mainrein it so coldly as a thing that is not improbable, that *peradventure* may, *peradventure* may not be, as grounded upon a fact of St. Peter, that is as much to lay not upon the Mandate of Christ?

And though wee should be so kindhearted as to suppose that there is some sort of Papall power, in the abstract not in the concrete, which is of Christs own institution, Namely, *The beginning of* unity, that is a power to Convocate the

D

Church,

Beza
defens.
pag.
153.

Church, and to preside in the Church, and to pronounce the sentence of the Church, so far and no further then power purely spirituall doth extend; although there be no speciall mandate of Christ to that purpose, for one to be the successour of S. Peter, or any prime or chiefe of all other Bishops: yet in the Iudgement even of the greatest opposers of Ecclesiasticall Hierarchy, it is the dictate of nature that one should preside over the rest, *Ex dei ordinatione perpetua necesse fuit, est & erit, ut in Presbyterio quispiam & loco & dignitate primus actioni gubernanda præsint.* Yet what is this to that great Bulke of Ecclesiasticall Authority which hath been conferred upon that See by the decrees of oecumenicall councils; and by the Civill Sanctions of Christian Emperours. which being Humane Institutions may be changed by Humane Authority? Can one scruple of divine right convert a whole masse of Humane right into divine? Wee see Papall power is not equall or alike in all places, but is extended or contracted variously according to the different Privileges and liberties of severall Churches and kingdoms. We see at this day the Pope hath very little to doe in *Sicily*, as I have shewed in my Vindication of the Church of England

England), by reason that one of his Predecessors long since hath alienated in a manner the whole Ecclesiasticall Iurisdiction to the Sovereign Prince of the Country and to his Heirs. Wee may call it by deputation or delegation . but this is plain, it is to him and his Heires for ever. This is certain , divine right cannot be extended or contracted ; There is no Privilege or prescription against divine right, That which belongeth to one person by divine right cannot be alienated to another person by humane right ; for then humane right should be stronger then divine right.

In summe although there be some colour or pretext of divine right for a beginning of Vnity, wheresoever the Catholick Church should fix it, yet it appeareth evidently by the Vniuersall practice of the Christian world in all ages, that there is no Colour nor so much as a shadow of divine right for all the other Branches of papall power , and those vast Privileges of the Roman Court. In the Councell of Constance they damned most of the Articles of John Wickliffe down right without hesitation : but when they came to the one and fortieth Article (*It is not necessary to Salvation to believe that the Roman Church is supreme* Concil. Constan. Sess. 8.

Among other Churches,) they paused and tyled
 some reservation, It is an error if by the
 Roman Church he understood the Vniuersall
 Church, or a Generall Councell, or for as much
 as he should deny the primacy of the Pope above
 other particular Churches, Their judgement
 is clear enough, they yeilded to the Pope
primatum not *suprematum*. A primacy of
 Order not a supremacy of power; They
 made him a beginning of Vnity to all particular
 Churches, Yet subjected him to the Vni-
 uersall Church; They looked upon him as
 Highest Bishop, and Successour of St. Peter,
 but they believed that a Generall Councell
 had power to shake his Candlestick, and
 remove it, if they found it expedient for
 the good of Christendome.

If he come so far short of diuine right
 in his faire pretensions; by what right will
 he seek to justify all his foule Vsurpations
 and enchroachments, which have no de-
 cree of any Oecumenicall councell to war-
 rant them, no Imperiall Institntion to au-
 thorise them; which have no foundation
 but the Popes own decretalls? But I reserve
 a full account of this for the next part of
 my Answer. Onely Reader be pleased to
 take notice, that it behooved Mr. Ser-
 jeant to have proved his Traditions clearly

and distinctly, as to those parts of Papall power which are controverted between us in earnest, with the Vniversality of it, and the perpetuity of it. This he neither doth nor attempteth to doe, nor in deed is he or any other able to doe, but meerly presumeth it, and slubbereth over the matter in deceitfull Generalls.

Sect. I. Cap. III.

Wee are come now to the last part of this demonstration, which was the Minor or Assumption of his former Syllogisme, That the Church of England in Henry the seventhes dayes did breake these Rules of Vnity upon probable reasons, not convincing grounds. Which being the main question, he should have fortified with proofes: but he according to his Custome thinkes to carry it with confidence and clamours, Does not all the World grant and hold that King Henry denied the Popes Supremacy: Does not all the World see that the pretended Church of England, stands now otherwise in Order, to the Church of Rome, then it did in Henry the seventhes dayes? &c.

Was Papall power cast out before? was it not in actuall force till and at that time?

Wee beg nothing gratis, but begin our Proofs upon Truth acknowledged by the whole World. What Papall power king Henry did cast out, and what Papall power we hold out, I shall demonstrate to the World, not confusedly but distinctly, by such proofs as are not to be gainsaid for matter of fact.

But before I gird my self to the work, it will not be amisse for the freeing of the Cause from future Cumber about them, to give Satisfaction to his two Circumstances, that wee did it onely upon probable reasons, And in the dayes of king

Mention of exceptions here pertinent. Henry the eighth.

Schism dispat. pag. 477.

Mat. 15. 13

For the first, he keepeth a great stirre and bustling every where about our probable reasons, and the nature of our Exceptions. And he would make his reader believe that I have omitted this part of his words Grossely. All which discourse is superfluous and impertinent. For if he could make good his Conclusion that wee have cast out that which Christ himself did ordain in holy Scripture, no reasons nor exceptions can be sufficient or so demonstrative and convincing as to justify a wilfull violation of Christs own ordination. Every Place (saith our Saviour) which my heavenly fa-

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her hath not planted shall be rooted up. But if this be Christs own Plant which he himself hath planted, to goe about to root it up were plainly to fight against God. We renounce all reasons and all exceptions against Christs own ordination. His very intimation that wee might doe what we did upon demonstrative reasons, is an implicit Confession, that it was not against Christs own ordination.

There was no need why I should meddle with mine own exceptions here, That was his office in *the posuion of the Case*. That case is meanly and partially stated, which is stated but on one side, he ought to have included my Exceptions in his case Besides I was sure to meet with my exceptions in every Section, and there fore reserved them for their proper places, as being loath to offend the Reader with twice soddin Colic-worts. But let him not feare that I will relinquish my *Exceptions*, I shall maintain them to be demonstrative of the Popes V-surpations in England, and leave them freely to try it out with his *Demonstrations*.

The second Circumstance is concerning the time when the breach is supposed to *The first* have been made, *In the dayes of Henry the breach*

before
Henry
the 8.
was borne.

eighth; And it is thus far true, that then the breach was declared, and the War proclaimed to all the World: but this breach was making long before Henry the eighth was born; from the dayes of Pope *Hildebrand* for about four hundred yeares. There was no open hostility indeed between the Court of Rome and the Church and Kingdome of England: but they were still upon their Gards, and still seeking to gaine ground one upon another, as appeareth by the decrees and Lawes and Machinations of those times. A breach in a strong Tower is long making before the Walls tumble visibly down; A Scathfire is long kindling before it breake out in an universal flame. A Cronicall disease is long gathering and forming before the certain Symptoms there of doe appeare. We use to say *the second blow makes the fray*, but the first blow makes the Battery and the guilt. All that time that they were forcing their grosse usurpations upon us, the Breach was making.

Every
one involved
in a

I have done with his two Circumstances. The Substance of his Assumption remains
Schism. is not a formall Schismatick,

maineth. But before I grapple with him about that, give me leave to lay down four grounds or Considerations, so indifferent that no rationall man can deny them. The first is that every one who is involved materially in a Schism is not a formall Schismatick, no more then shee that marrieth after long expectation, believing and having reason to believe that her former Husband was dead, is a formall Adultresse, or then he who is drawn to give divine Worship to a creature by some misapprehension, yet addressing his devotions to the true God, is a formall Idolater. A man may be *Baptisatus* *vo:o* (as *S. Ambrose* said) baptised in his desire, and God Almighty doth accept it: why may he not as wel Communicate in his desire, and be accepted with God likewise? If *S. Austin* say true of Heresy, that. *He who did not run into his Errour out of his own overweening presumption, nor defends it pertinaciously, but received it from his seduced parents, and is carefull to search out the truth, and ready to be corrected if he find it out, he is not to be reputed among Hereticks.*

Ezech.
162.

It is much more true of Schism, that he who is involved in Schism through the error
of his

of his Parents or Predecessors, who seeketh carefully for the Truth, and is prepared in his mind to embrace it whensoever he finds it, he is not to be reputed a Schismatick. This very Bond of Vnity and preparation of his mind to peace, is an implicit renunciation and abjuration of his Schism before God. This is as comfortable a ground for ignorant Roman Catholicks, as for any persons that I know, Who are hurried hoodwinked in to erroneous tenets as necessary points of faith, and Schismaticall Practises, meerly by the authority, and to uphold the interest and ambitions or avaricious courses of the Roman Court.

My second ground is this, God almighty doth not approve of that unequall proverb, *The Fathers have eaten sowre Grapes and the Childrens teeth are set on edge.* Posterity is not guilty of their Ancestours transgressions, further then they doe either imitate them or maintain them. Suppose these calumnies had been truths which some have belched forth against our Reformers, that they had Sacrilegious or other finister ends, it signifieth nothing to us, so long as wee neither justify them, nor imitate them. *Iehues* heart was not over upright; and yet God himself approved

*Ezech.
38. 24
wee are
not char-
gable
with the
excesses
of our
Prede-
cessours.*

proved his Reformation. Suppose any of our Reformers have run into any excesses or extremes, either in their expressions, or perhaps in their actions, (it is a difficult thing in great changes to observe a just meane,) it may be out of humane frailty, as Lycurgus out of hatred to drun kennefle, cut down all the Vines about *Sparta* : or it may be out of Policy, as men use to bend a crooked Rod, as much the contrary way to make it streight: or as expert Masters in Musick doe sometimes draw up their Scholars a note too high, to bring them to a just tone. What is that to us so long as we practise the meane and maintain the mean, and guide our selves by the certain line and Levell of Apostolicall and primitive Tradition. Charity commands us to thinke well of our Predecessors, and Theology to look well to our selves.

Thirdly, that difference which divines doe make between affirmative and negative Precepts, that affirmative bind alwayes, but not to all times, *semper* but not *sidentis ad semper*. A man is bound alwayes to pray, *prove* but is not bound to the actuall exercise of praier at all times, but negative Precepts bind both *semper* and *ad then as semper*. The same I say of affirmative and negative presidents, affirmative presidents *live*.
prove

negati-
ve Pre-
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ve.

prove alwayes that such a fact was done, and it may be that it was justly done at that time in that case, but they prove not a right *ad semper*, to doe it at all times. The reason is evident, Particular Acts may be done by Connivence, or by Speciall License; but a Generall Prohibition implyeth a perpetual right. As for instance I produce Negative Presidents, both Generall Lawes against all appeales to *Rome*, that no man may appeale to the Pope without the Kings License, and Particular Prohibitions out of the Kings Courts, by form of ordinary Iustice, against such and such Appeales or such and such Sentences upon Appeales, This argueth a perpetuall Right to forbid Appeales, whensoever it is Iudged expedient. On the otherside he preducerh Presidents of Particular Appeales to *Rome*, (which he may doe of later Dayes, but for the First eleven hundred yeares it was not so, This Proveth onely the Kings License or Connivence in such cases, it doth not prove a perpetuall Right, because two perpetuall Rights contradictory one to another can not be.

My fourth and last ground is, that neither King *Henry* the eighth nor any of our Legislators, did ever endeavour to deprive the Bishop of *Rome* of the power of the

Keys

Keys or any part thereof, either the Key
 Order or the Key of Jurisdiction, I mean
 Jurisdiction purely spiritual which hath place
 only in the Inner court of conscience, and
 over such persons as submit willingly. Nor
 did ever challenge or endeavour to assume
 unto them selves either the Key of order or
 the key of jurisdiction purely Spirituall. All
 which they deprived the Pope of, all which
 they assumed to themselves, was the exter-
 nall Regiment of the Church by Coac-
 tive power, to be exercised by persons ca-
 pable of the respective Branches of it
 This Power the Bishops of *Rome* never
 had, or could have justly over their Subjects
 but under them whose subjects they were.
 And there fore when wee meet with these
 words or the like, that *no forreign Prelate*
shall exercise any manner of power Jurisdiction
Superiority, Preheminence or Privilege Eccle-
siasticall or Spirituall within this Realme, It is
 not to be understood of internall or purely
 Spiritual power in the court of conscience,
 or the power of the Keys: (Wee see the
 Contrary practised every day:) but of ex-
 ternal and coactive power in Ecclesiasticall
 causes *in foro contentioso*. And that it is and
 ought to be so understood; I prove clear-
 ly by a Proviso in one main Act of Parlia-
 ment, and a Canon of the English Church.
 First

XXV. First the Proviso is contained in the Act
Hen. 8. for the Exoneration of the Kings Subjects
ca. 12. from all Exactions and Impositions paid to
 the See of Rome. *Provided* alwayes this Act
 nor any thing therein contained shall be here after
 interpreted or expounded, that your Grace your
 nobles and Subjects intend by the same to decline
 and Vary from the Congregation of Christs
 Church, in any things concerning the very Ar-
 ticles of the Catholick Faith of Christendome,
 or any other things declared by the Scripture and
 the Word of God necessary for your and their
 Salvations; but onely to make an Ordinance
 by Pollicies necessary and convenient to repress
 Vice, and for good Conservation of this Realm
 in Peace Unity and Tranquility, from ravine
 and Spoile, insueing much the old ancient Cust-
 omes of this Realme in that behalfe. They pro-
 fesse their Ordinance is meerly Politicall;
 What hath a Politicall Ordinance to doe
 with power purely Spirituall? They seek
 onely to preserve the kingdome from ravin-
 ne and Spoile; Power purely spirituall can
 commit no Ravin or Spoile. They follow
 ancient Customes of the Realm There was no
 ancient Custome of the Realm for aboli-
 tion or translation of power purely spiri-
 tuall. They professe all Conformity to
 Holy Scriptures; but the power of the keys

was

was evidently given by Christ in Scripture to his Apostles and their Successors, not to Sovereign Princes. If any thing had been contained in this Law for the Abolition or Translation of power meerly and purely Spirituall, it had been retracted by this Proviso at the same time it was enacted.

The Canon is the 37. Canon, where we give the Kings Majesty the Supreme Government, *Wee doe not give our Kings either the Administration of Gods word or Sacraments, which the Injunctions published lately by Queen Elizabeth doe most evidently declare, but onely that Prerogative which wee see to have been alwayes attributed to all Godly Princes by him self in holy Scripture, That is, to preserve or maintain all Estates and Orders committed to their trust by God, whether they be Ecclesiasticall or Civill in their Dutyes, and restraints con- demnacious Offenders with the Civill Sword.* You see the Power is Politicall, the Sword is Politicall, all is Politicall. Our Kings leave the power of the keys and Iurisdiction purely Spirituall to those to whom Christ hath left it.

Seet. I. Cap. IV.

And now having dispatched the Circum- *The Po-*
stances out of my way, and laid down some *pe and*
ne.

Court of Necessary grounds, I come directly to the
Rome Substance of his Assumption, and affirm
did That neither the King of *England*, nor
break the Church of England, neither Convoca-
the tion nor Parliament, did breake his two
bonds of Necessary Bonds of Christian Vnity) or ei-
unity ther of them, or any part of either of them.
not we. But that the Very Breakers and Violaters
of these Rules were the Pope and Court of
Rome, They did breake his Rule of Faith,
by adding new points to the Necessary
Doctrin of saving Truth, which were not
the Legaceyes of Christ and his Apostles,
nor delivered unto us by Universall
and perpetuall Tradition. The Pope and
Court of Rome did breake his second
Rule of Vnity in Discipline, by obtruding
their excessive and intolerable usurpations
vpon the Christian world, and particularly
upon the Church of *England*, as necessary
Conditions of their Communion.

It appeareth plainly by comparing that
which hath been said with his positiō of the
case, that after all his Braggies of *undeniable*
evidence and *unquestionable certeinly*. he hath
quite misled the question. We joine with
him in his rule of Faith, We oppose not
St. Peters Primacy of Order, and he him-
self dare not say that *St. Peter* had a larger
or more extended power then the rest of
his

his Fellow Apostles. And though wee cannot force our understandings to assent, that after the death of *S. Peter Linus*, or *Cleins*, or *Clemens*, or *Anacleus*, were Superiours to *S. Iohn*, and had actuall Iurisdiction, over him, who had as large a commission immediately from Christ as *S. Peter* himselfe, and larger then any succeeding Romane Bishop ever had : Yet to shew him how little wee are concerned in it, and for his clearer conviction, wee are willing to suppose that they were his Superiours, and give him leave to make all the advantage of his second Rule which he can in this cause.

And here if I regarded not the satisfaction of my self and the Reader more then his opposition, I might withdraw my hand from the Table. But I am so great a Friend of Ingenuity, that I will for once discharge this Office, and shew the World demonstratively and distinctly, what Branches of Papall power were cast out of *England* by *Henry* the eighth ; upon which consideration the weight of the whole Controversy doth lye. For it is agreed between us, that if it appeare by rigorous Evidence, that all those Branches of Papall power, which were renounced and cast out of *England*

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by

by *Henry the eight* were grosse *Vsurpations*, then his renouncing was no criminall Breach, but a lawfull self enfranchisement. And by undeniable consequence the Guilt of Schism resteth upon them who made the *Vsurpations*, that is, the Pope and Court of *Rome*. I adde further upon the equity of my second Ground; that although *Henry the eight* had cast out something more then he ought, yet if wee hold not out more then wee ought, and be ready to admitt all which ought to be admitted by us, then we are innocent and free from the Guilt of Schism and it resteth soly upon them, who either will have more then their due or nothing. Wheresoever the fault is, there the Guilt of Schisme is: If the fault be single, the Guilt is single, if the fault be mutuall, the Guilt is mutuall.

What
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ches of
Papal
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were
cast out
of En-
gland
by Hen-
ry the 6.

And for rigorous Evidence, There cannot possibly be any Evidence more demonstrative what Papall power was cast out of *England*, then the very Acts of Parliaments themselves, by which it was cast out. Let us view them all. The first Act made in the Reign of *Henry the eight*, which hath any referente to *Rome*, is the Act for holding *Plurality of Benefices* against the lawes of the land by dispensation from the Court of *Rome*, making licenses for non Residence from the Court

Court of Rome to be voided, and the party who procureth such Licenses for Pluralities or Non-residence to forfeit twenty pounds, and to lose the profits of that Benefice which he holdeth by such dispensation. It were a pretty thing indeed, if the Church and Kingdome should make necessary lawes, and the Pope might give them liberty to break them at his pleasure.

23.
Hen. 8.
cap. 9.

The second Act is, that *No person shall be cured out of the diocesse where he dwelleth, except in certain cases.* Which though it may seem to reflect upon the Court of Rome: yet I do not find that it is concerned in it, but the *Archies, Audience, and other Archiepiscopall Courts* within the Realm.

24.
Hen. 8.
ca. 12.

The third Act is meerly declarative of the law of the land, as well the Common lawes as the Statute lawes, and grounded wholly upon them, as by the View of the Statute it self doth appeare. So it casteth out no forraine power, but what the lawes had cast out before. The summe of it is this, That all Causes *Matrimoniall, Testamentary, or about Tithes &c.* shall be heard and finally judged in *England*, by the proper Iudges Ecclesiasticall and Civill respectively, and not elsewhere notwithstanding any forrein Inhibitions Appeales, Sentences, citations, suppressions, or Excommunications. And that if any English Subject procure a Pro-

cesse Inhibition Appeale, &c. From or to the Court of Rome, or execute them to the hinderance of any processe here, he shall incurre the Penalties ordained by the Statute of provision or premunire, made in the sixteenth yeare of King Richard the second, against such as make provision to the See of Rome. This law was enlarged afterwards to all causes of Ecclesiasticall cognisance, and all appeales to Rome forbidden.

25. He.
8. c. 19.

25. He.
8. c. 14.

The fourth Act is an Act for punishing of Heresy. Wherein there are three clauses that concern the Bishop of Rome. The First is this, *And that there be many Heresies and paines and punishments for Heresies, Declared and ordained in and by the Canonickall Sanctions, and by the Lawes and Ordinacions made by the Popes or Bishops of Rome and by their Authorities, for holding, doing, preaching of things contrary to the said Canonickall Sanctions Lawes and Ordinances, which be unchristiane, being meer repugnant and contrarious to the royall Prerogative, Regall Iurisdiction, Lawes Statutes and Ordinances of this Realm.* The second Clause is that, *No License be obtained of the Bishop of Rome to Preach in any part of this Realm, or to doe any thing contrary to the Lawes and Statutes of this Realm, or the Kings Prerogative Royall.* The third Clause followeth, *That the Decrees of the*

P. hops

Bishops of Rome, not confirmed by Holy Scriptures, were never commonly attested to be any Law of God or man within this Realme. And that it should not be deemed Heresy to speak or doe contrary to the pretended power or Authority of the Bishop of Rome, made or given by Humane Lawes and not by Scriptures; nor to speake or Act contrary to the Lawes of the Bishop of Rome, being contrary to the Lawes of this Realm.

The Fifth Act is an Act concerning the Submission of the Clergy to the Kings Majesty, The scope of it is this, That the Clergy shall not assemble in Convocation, nor make or promulge any new Canons, without the Kings License. Hitherto there is nothing new in point of Law. Then, that the King should have power to name and constitute, two and thirty Commissioners, sixteen of the Clergy, and other sixteen of the Peers and Parliament, to view the Ecclesiasticall Lawes of the Kingdome, and declare which were fit to be retained, and which were to be abrogated. The same Law is confirmed and enlarged. 25. H.
8.c.19.

The Sixth Law restraineth the payment of Tenths and First Fruits to the Bishop of Rome. And prescribeth how Arch-bishops, Bishops &c. are to be elected and consecrated within the Realm,

without payment of any thing to Rome for Bulls and Pals &c.

25.
He: 8. The seventh law is , an *Act of Exoneration of the Kings subjects from exactions and impositions heretofore paid to the See of Rome, for Pensions , Peterpence , Licenses , Dispensations , Confirmations , faculties &c.* and for having licenses and dispensations within the Realm , without further suing for the same ; As being *Vsurpations* contrary to the law of the land.

26.
H 8.
cap. 1. The eighth Act is Concerning the Kings Highnesse to be *supreme Head of the Church of England* (that is *Politically* head) and to have *Authority to redresse all Errours, Heresies and Abuses in the same.* That is to say , with externall Coactive Jurisdiction. Wee never gave our Kings the power of the Keys, or any part of either the Key of Order, or the Key of Jurisdiction purely Spirituall: but onely that Coactive power in the externall Regiment of the Church, which their Predecessors had alwayes enjoyed.

26.
H. 8.
cap 3. The Ninth Act is for the annexing *Tithes and first fruits to the Crown*, for the better supportation of the Burthens of the *Commonwealth.*

28.
H. 8.
ca. 10. The tenth Act is an *Act extinguishing the Authority of the Bishop of Rome, or extirpating it out of this Realm.* That is, Not the Bishop of Romes Primaty of Order , Not his begin-
ning

ning of Vuity, Not that respect which is due to him as Bishop of an Apostolicall See. If he have not these it is his own fault. This is not our quarrell. It is so far from it, that wee do not envy him any just legacies of Christian Emperours or Generall Councils. But that which our Ancestors did extinguish and endeavour to extirpate out of *England*, was the Popes externall Coactive power over the Kings Subjects *in foro contentioso*, as wee shall see by and by, when we come to state the quarrell rightly between us.

After this Act there followed an eleventh *He. 8.* Act made for corroborating of this last Act, *cap. 5.* to exclude the usurped power and Iurisdiction of the Bishops of Rome. And both these Acts are backed with new Oaths, as those times were fruitfull of Oaths, such as they were.

The last Act of any moment, was an Act *35.* of Ratification of the Kings Majesties Style of *H. 8.* Supreme head of the Church of England making it treason to attempt to deprive the King of it. But as well the eighth Act which gave the King that title of the Head of the Church, as this twelfth Act which makes it treason to attempt to deprive the King of it, are both repealed, and never were restored. So are likewise the tenth Act of extinguishing the Authority of the *cap 3.*

Bishop of Rome; and the eleventh act made for corroboration of that Act with both their Oaths included in them.

- 1. El.** All that hath been added since of moment
c. 1. which concerneth the Bishop of Rome is one Act, *Restoring to the Crown the ancient Jurisdiction over the State Ecclesiasticall and Spirituall, and abolishing all forraign power repugnant to the same.* Here is no new power created in the Crown, but onely *an ancient Jurisdiction restored.* Here is no forreign power aboli hed, but onely that *which is repugnant to the ancient Lawes of England and to the Prerogative Royall.* In a word, here is no power ascribed to our Kings but meerly Politicall and Coactive, to see that all their Subjects doe their Dutyes in their severall places. Coactive power is one of the Keys of the Kingdome of this world, it is none of the Keys of the Kingdome of Heaven. This might have been expressed in Words lesse subject to exception. But the case is clear. The Grand Act xxv. Hen. 8. cap. 12, The Injunctions of Queen Elizabeth, The Articles of our Church Art. 37. doe all proclaime that this power is merely Politicall. Christ gave St. Peter a Commission to preach, to baptise, to bind and loose in the Court of Conscience: but where did he give him a Commission to give Li-

ences, to grant Facultyes, to make Lawes, to dispense with lawes to receive appeales, to impose Tenths and First-fruits in other mens Kingdomes, whether the right owner will or no? Who gave him power to take other mens Subjects against their Wills to be his Officers and Apparitors? That is more power then Christ himself did challenge here upon Earth.

Luke.
12. 14.

And now Reader take a Stand and looke about thee; See among all these Branches of Papall power which were cast out of England, if thou caust find either of *St. Peters Keys*, or his *Primacy of Order*, or his *Beginning of Unity*, or anything which is purely Spirituall, that hath no further influence then merely the Court of Conscience. No: but on the other side behold a pack of the grossest Usurpations that ever were hatched, and all so late, that is was above a thousand years after the death of *S. Peter*, before any of his pretended Privileges did see the sun in *England*; observe them one by one.

21.

The first is a power to dispense with *English Subjects for holding Pluralty of Benefices contrary to the Lawes of England*, And for *non Residents* contrary to the Statutes of the Realm. It had been much to have made Merchandise of his own Decrees; but to Dispense with the Lawes of the Land,

Hen. 8.
ca. 13.

Non

Non auderet hac facere Vidua mulieri. He durst not doe so much to a poore widow woman, as he did to the Church and Kingdome of England, to dispense with their Lawes at his pleasure. It is but vain for the Flower of our Kingdome to assemble and consult about healthfull Lawes: if a Forrainer have power to dispense with the breach of them as it seemeth good in his Eyes, They might as well sit them down quietly & fall to pilling of rushes,

The second Branch of Papall power which was Excluded out of England, was the Popes Iudiciary power. I doe not mean in Controversies of Faith when he is in the Head of a councill: Yet *Eugenius* the fourth confesseth that *in points of Faith the sentence of the council is rather to be attended then the sentence of the Pope.* But I mean in points of *meum* and *tuum*, not onely in some rare cases between Bishop and Bishop, which had been lesse intollerable, and had had more shew of Iustice: but generally in all cases promiscuously; as if the whole nation wanted either discretion or Law to determin their own differences at home, without the help of the Roman Courtier to squeese their purses. It was not *Henry* the eighth, but the old Lawes of England which gave them this blow against Appeals to Rome.

Conc.
Basil.
Sess. 16
in revoc
bullæ 3.

24.
Hen. 8
cap 12.

The third Branch of papall power which was turned out of England by Henry the eighth was the Popes Legislative power, specially in making new Heresies by his own Authority, and for his own Interest, prescribing the punishment, as if all the world were his Subjects. Mr. Serjeant may be pleased to inform himself better, that the Popes Canons and decretalls never had since the First Conversion of *England* the force or power of Lawes in *England*, until they were received by the Nation, or then any further then they were received.

The fourth Branch is the Sovereign patronage of the English Church with all those rights and appurtenances which belong thereunto, as to convocate the clergy, and Dissolve their Assembly, To exempt their persons from secular Iudgement, To have the Disposition of Ecclesiasticall Dignities and the Custodium of them in the vacancy. But these things are so notorious, to all those who are acquainted with the Ecclesiasticall Customes of *England*, that there can be no manner of Question of

The Convocation was alwayes called and dissolved by the absolute and precise mandate of the King to the Arch-Bishops; yea even when the Arch-Bishop was the popes

Popes legate, and when he might have challenged, another right, if the Pope had had any pretence. The temporaltyes of the Bishopricks in the Vacancy were ever seised into the hands of the King, untill he granted out his Writ of *Manum amoveas*, or *Oste la main* : If ordinary Patrons did not present in due time to a benefice, it devolved to the Ordinary, and from him to the King, there it stayed, *Nullum tempus occurrit Regi*.

The fifth Privilege was the receiving of Tenths and First fruits, which were a late encroachment of the Bishop of Rome upon the Clergy, without any just ground, and upon that score were condemned in the Councells of *Constance* and *Basile*, and now were seised into the Kings hand towards the discharge of the Ecclesiastical Burthens of the Kingdome.

The last perqnifire which the Pope lost was all the profits of his Court, by Bulls, and Palls, and Pensions, and Reservations, and Exemptions, and Licenses, and Dispensations, and Confirmations, and Pardons, and Indulgences, and an hundred other pecuniary Artifices practised in his Court at *Rome*, and in his Legantine Courts and Nunciatures abroad. But this abuse is so fouled that the Popes own selected Cardinalls do

cry shame

try shame upon it, as much as wee, and lay-
 down this general Rule, That it is not lawfull Conf.
 to make any gain by the exercise of the Keys, delect.
 being wee have the firm word of Christ, freely ye Card.
 have received, freely give, &c. For as the
 use which now prevaleth doth disgrace the
 See of Rome, and disturbeih Christian people;
 the contrary practice would bring much
 honour to this See, and marvellously edify the
 people.

These are the reall differences between *The true*
 the See of Rome and the Church and King- *diffi-*
 some of England concerning the papacy. *rence*
 all these altercations which wee have about *about*
 Thou art Peter, and the Keys given to St. *the Pa-*
 Peter, and Feed my Sheep, and I have prayed *pacy.*
 thy shee; are but like to the tinkling of Cybeles
 priests upon their Cymballs, on purpose to
 deafe the eares of the Spectators, and to
 conceale the Cryes and ejulations of poore
 oppressed Christians. To reduce them into
 a little better Method then they lye in the
 statutes.

The maine questions are or may be reduced
 to four heads. The first grand question
 is concerning the Sovereignty of the En-
 glish Church in respect of the externall
 Regiment thereof. This hath four sub-
ordinate Branches.

First

First who is the right Patron of the English Church under God, the King or the Pope? Secondly, who hath power to Convoke Synods of the Kings subjects within England, The King or the Pope? Thirdly, whether the Pope have justly imposed new Oaths upon the Arch Bishops and Bishops? fourthly whether Tenths and first fruits in England be due to the See of Rome.

The second question is concerning the Popes legislative power. Whether the Canon law or the decretalls have been anciently esteemed binding lawes in England or ought to be so esteemed, except they be received by the English Nation, and metriculated among our lawes.

The third is concerning his judiciary power, Whether the Bishop of Rome can receive Appeales from England by the Ancient lawes of that Land, and send for whom he pleaseth to Rome? 2. Whether Bulls and Excommunications from Rome can be lawfully executed in England, except the King give leave for the execution of them? 3. Whether the Pope can send Legates and set up Legantine Courts in England, by the Ancient lawes of that Realme.

The fourth Difference is concerning the popes dispensative power, whether the Pope can dispense with the lawes of England.

land? 2. Whether we stand in need of his dispensations?

In every one of these differences wee maintein that the Bilhop of *Rome* and the Court of *Rome* have been guilty of most grosse Vsurpations.

Seet I. Cap V.

To begin with the first. If it were necessary to call in any forreyn subsidiary whom supplies for the further fortifying of the sheparro King of *Englands* Sovereign Patronage nage of under God of the Church within his Ter- the En- ritories; I might find strong recruits from glish the Greek Emperours, to shew that they Church alwayes practised this power within their doth of Dominions, to place Bilhops in vacant right be- Sees: and that the Contrary was haetennus long. *audium*, never heard of in *S. Gregoryes* Greg. dayes. To them I might adde the French lib. 4. and Germane Emperours, who not onely *Regist.* enjoyed the same privilege by ancient Cu- *indict.* stome, but to whom the Roman Bilhops 13. cap. disclaimed it, with all their Clergy Iud. 78. *ges* and Lawiers; *Adrian* the first to *Char-* 78. *es* the greate, Anno 774. And *Leo* the eighth to the Emperour *Otho*, Anno 964. I might produce the presidents of the *Spa-* *nish* Monarchs Conc. *Tolet*: 12, cap. 6. It

It were a most unreasonable thing that Sovereign Princes should be trusted with the Government of their people, and have their Bishops, who must participate in the Government, by informing the consciences of their Subjects, be obtruded on them by Strangers. I cannot omit the observation of a Learned Bishop, That, *Quacunqueratione ad pontificatum pateret ingressus, non prius Apostolica Cymba gubernacula capebat, nisi prius Imperatoris auctoritas intercessisset*, By what way soever the Election of the Pope was made (And Bellarmine, mentioneth seven changes in the manner of choosing the Pope,) Yet no man was ever admitted to the actual Government of the Apostolicall See, without the Emperours confirmation.

Bell. de
cler. lib.
I. ca. 9.

But our case is strong enough without twisting any forrein presidents with it. William the conquerour, William Rufus, and Henry the first, did injoy the right of placing in vacant Sees by the tradition of a Ring and of a Crosier staffe, without ever seeking for Forrein approbation, or ordination, or confirmation, as their Predecessors Kings of England and Britain had done before them. Els it had been very strange. The Roman Rota will give decisive Sentence for him to be Patron of a Church who

first

first builded it and endowed it. But then after Eleuen hundred years were effluxed, (a strange time to set up a divine right,) Gregory the seventh (otherwise called Pope Hildebrand) and after him Pope Calixtus did condemne all investitures taken from a Lay hand, and prohibit the Arch Bilhops to consecrate any persons so invested, *Præsens adeo in Romano Concilio prohiberi*, saith apud Anselm, I heard it with mine own eares prohibited in the Roman Court. But what were their reasons? I believe, not overrigorous Demonstrations. The first was frequent suspicion of Simony; An unheard of piece of Injustice to take away an hereditary right for suspicion of a personall fault. The second and third reasons are contained in the letter of Adrian the fourth to Frederick the first, Apud Goldast: *Ab his qui Dei sunt & filii excelsi omnes, homagium requiris, Fidelitatem exigis, & manus eorum sacras manibus tuis innectis*, Thou requirest homage of those who are Gods, and all the Children of the most High, thou exactest an Oath of Fidelity and knuist their sacred hands with in thy hands. A strange presumption in a Sovereign Prince, if you marke it well, to hold his Subjects hands within his Hands, whilst he was swearing his Allegiance;

But the maine exception was the Homage or Oath of Fidelity it self. And was it not high time thinke you to except against their swearing of Fidelity to their Native Prince, whom the Bishops of Rome intended to exempt from his Iurisdiction, and to make them turn Subjects to themselves: as they did in a great part effect it very shortly after. Then was the time where of *Platina* speaks, that *there was great Consultation about the Homage and Fealty and Oaths of Bishops, which in former times were sworn to lay men.* Were they so indeed? Here is an ingenuous Confession of the Popes own Library Keeper.

Plat.
in
Pasch.
2.

Indeed at the first whilest they were robbing the King of the Jewells of his Crown, they preached up nothing but free Elections: but after they had onte seised their prey, they changed their once forthwith to *Dei & Apostolica Sedis Gratia*, By the Grace of God and the Apostolique See: Or *ex plenitudine Ecclesiastica potestatis* out of the Fulnesse of our Ecclesiasticall power. And when this Bell had rung out a while, Egypt never a bounded more with Caterpillars, then our Native Country did with Provisions, and reservations, and Pensions, with all the hellish arts of Sublimated Simony. Then

Mat.
Par. an
1229.

Then our best dignities and Benefices were filled with Strangers (who could not speak an English word, nor did ever tread upon English ground,) dayly more and more untill these well chosen Pastors who knew how to sheare their Flocks, though they did not know how to feed them, received yearly out of the Kingdome more then the revenues of the crown. He were very simple who should thinke the Court of Rome, did not lick their own Fingers.

*Mat.
Par. m.
Hen. 3.
an.*

1345.

There remaineth but one thing to be done, to stick the Guilt of this intolerable Vsurpation undeniably upon the See of Rome that is to shew that the Investiture of Bishops was the undoubted right of the Crown

This is as cleare as the Sun, both in our most Authentick Historiographers, and records if I had the meanes to producethē, and also in our ancient Lawes published long since to the world in print, and these not enactive of new law, but declarative of the fundamentall law of the land.

First for our Histories *Gervasius Dorobernensis* relateth that *Lanfrank* desired of *William* the conquerer the Patronage of the Abby of *S. Austin*: but the King answered, *Se velle omnes baculos pastorales in manu tenere*

That he would keep all the Crosier staves (that is the Investitures) in his own hand. The same is testified of *Anselm* himself by one whole Authority cannot be doubted of, He (*An-*

Eadm. *lib. 1.* *pag. 20.* *felm*) after the manner and Example of his Predecessor was inducted according to the Custom of the Land, and did Homage to the King (homo Regis factus est) as *Lanfranke* (his Predecessor in the Archbishoprick of Can-

Eadm. *lib. 1.* *pag. 18.* *terbury*) in his time had done. And the manner of his Investiture is related, how the Bishops pulled him, and haled him as it were by violence to the Kings bedside (*William Rufus*) where he lay sick, and helped to thrust the Crosier staffe by force into his hand. Yet all that time, though *Anselm* had many other Pretences, he had no exception against Investiture by a Lay hand: but shortly after it grew to such an height, (and *Anselm* was the chief Stickler in it) that *William* the Agent of King *Henry* the First protested openly to Pope *Paschall*.

Eadm. *lib. 3.* *pag. 73.* *Whatsoever is said on this side or on that, would have all men here present to know, that my Lord the King of England, will not suffer the losse of his Investitures for the losse of his Kingdome. To whom Pope Paschall answered as resolutely, but not so justly, Know thou I speake it before God; that Paschall the Pope*

will not suffer him to keep them without punishment, no nor for the redemption of his head.

Neither was this the case of *Anselm* or *Lanfranke* alone, but the commō case of all Bishops in those dayes. Hear the confession of the same author, *To conclude, the very cause* Ead. mer. in prefat. pag. 2.
(of the difference between the King and *Anselm*) seemed a new thing (or innovation) to this our age, and unheard of to the English from the time that the Normans began to Reigne, (that I say not sooner,) For from the time that *William the Norman* conquered that Land, no Bishop or Abbat was made before *Anselm*, who did not first doe Homage to the King, and from his hand by the gift of a Crosier staffe, receive the investiture to his Bishoprick or Abbacy, except two Bishops of *Rocheſter*, who were Surrogates to the ArchBishop of *Canterbury* and inducted by him by the Kings Concession.

Yea by his Favour, so did *Anselm* himself, Though he sought afterwards to wave it. And though he be loath to speak out (That I say not sooner) Yet he might have said sooner, and others doe say sooner; as *Ingulph* the Abbat of *Crowland* in the time of the Conquerer, For many yeares past there hath been no free Election of Prelates, but the Kings Court did conferre all dignities according to their pleasure, by a Ring and by Reg. l. 2. a Crosier. And this Custome had held not cap. 8.

onely for Many yeares but for many Ages, king Edgar did grant to the monkes of Glaſtenbury the free Election of their Abbat for ever: but be reserved to him ſelf and to his Heirs the power to inveſt the Brother elected by the tradition of the Paſtorall ſtaffe. Thus for our histories now for our Lawes where of I ſhall need to cite but three.

The Firſt is the Statute or *Aſſiſe* or *Memoriall* of *Clarendon* containing part of the ancient Liberties and Cuſtomes of the Realm, made in the Generall aſſembly of the Kingdome, King, Biſhops, Peers, to which they gave both their oathes aſſertory for the truth of it, and Promiſſory for performance of it. The fourth Cuſtome was this, that when an Arch Biſhoprick Biſhoprick Abbacy or Priory did fall void, the Election was to be made by ſuch of the Principall Dignitaryes or Members of that reſpective Church which was to be filled as the king ſhould call together for that purpoſe, with the kinges conſent, in the kings own Chappell. And there the perſon elected was to doe his Homage and Fealty to the King as to his Liege Lord, The Pope had no part to Act, neither to collate, nor conſent, nor confirm, nor Inſtitute, nor induct, nor ordeine.

the right
to give

The Second Law is the Statute of *Carlile* made in the time of *Edward* the Firſt. The ſumme

summe of it is this, That the king is the Fonn. Bishop-
 der of all Bishopricks, and ought to have the Ricks in
 Custody of them in the Vacancies, and the right Englad
 of Patronage to present to them. And that the is the
 Bishop of Rome usurping the Right of Patrona- Kings
 ge, giveth them to aliens. That this tendeth to
 the annullation of the State of holy Church, to the
 Disberthing of Kings, and the Destruction of
 the Realm. And they ordained in full Par-
 liament that this is an Oppression (that is as
 much as an entroachment or Vsurpation) and
 should not be suffered.

The third law was made in the 15th yeare
 of Edward the third, called the Statute
 of Provisors, wherein they affirm that Elec-
 tions were First granted by the Kings Progeni-
 tors upon a certain form or Condition to demand
 License of the King to chuse, and after the E-
 lection to have his Royall Assent. Which Con-
 ditions not being kept, the thing ought by reason
 to resort to his First nature. And there fore
 conclude, that in case Reservation Collation
 or Provision be made by the Court of Rome of any
 Arch Bishoprick &c. Our Sovereign Lord the
 King and his Heirs shall have and enjoy the
 Collations for the same time to the said Arch
 Bishopricks Bishopricks and other dignities E-
 lective which be of his Anuowre, such as his
 Progenitors had before the free Election was
 granted

granted. They tell the King plainly that the Right of the Crown of England and the Law of the Land is such, that the King is bound to make remedies and Lawes, against such mischiefes. And they acknowledge that he is *Advowee* *Paramount* immediate of all Churches, Prebends, and other Benefices which are of the Advowry of holy Church. That is as much as Sovereign Patron of the Church; Where no Election can be made without the Kings *Con. é d'Esire* or leave antecedent, nor stand good without his subsequent consent; it is all one as if the Crown did Collate.

I come next to the second Branch of the First Question, about the Patronage of the Church, Who hath power to Convocate and Dissolve Ecclesiasticall Assemblies? and whether the Crown or the Pope have usurped one upon another in this particular? I cannot tell whether *Henry* the eighth or *Paul* the third, did mistake more about that Aierly title of the head of the english church *Henry* the eight supposing that the right to convocate and dissolve Ecclesiasticall Assemblies, and to receive Tenths and First fruits, did essentially follow this Title; And *Paul* the third declaringe it to be Hereticall and Schismaticall. To be head of the English Church, is neither more nor lesse then our Lawes and Histories

the right
to con-
vocate
English
Synods is
the
Kings

Histories, ancient and Modern, doe every where ascribe to our English Kings. To be *Governors of Christians*, To be the *Advocates of the Church*, To be *Patrons and Advowees* *Parsons* of all Churches, To be *Defenders of the Faith* there Professed, And to use the Words of the Convocation it self, *Ecclesia Anglicana Protectores singulares, Principes & Supremos Dominos*. The same body may have severall heads of severall kinds upon Earth, as Politicall and Ecclesiasticall; and then that which takes care of the Architectonicall end, to see that every member doe his Duty, is alwayes Supreme; That is the Politicall head. This truth Cardinall Poole did see clearly enough, and reconcile the seeming difference by distinguishing between a *Regall head* and a *Sacerdotal head*, This truth the French Divines see wel enough, and doubt not to call their King the *Terrene head of the Church of his Realme*, without attributing to him any Sacerdotal right. Wee had our Sacerdotal heads too in *England*, without seeking for the so far as *Rome*; As the Archbishop of *Cambridge* in the Reigns of our English Monarchs, who of old was *Nullius unquam Legationi Subjectus*, Never subject to the Jurisdiction of any Legate. When the Pope sent over Guy

Polus
de Conc.
pa. 70.

Archbishop of *Vienna* into *England* as his Legate throughout *Britaigne* for the Apostolicall See, It was received with wonder

Ead- and Admiration of all men. *Inauditum scilicet in Briannia cuncti scientes quemlibet hominum super se vices Apostolicas gerere, nisi solum Episcopum Cantuariæ: All men did know that it was never heard in Britagne, that any Man whatsoever had Apostolicall power over them, but onely the Archbishop of Canterbury.* And accordingly the new Legate did speed, so it followeth, Wherefore as he came so he returned, received as Legate by no man, nor having exercised any part of his Legatine power. This was the ground of that Letter of the English Bishops to the Pope. That the Church of Canterbury might not be deprived of its dignity in his times, and that he would neither Diminish it himself, nor suffer it to be diminished. As appeareth by the Popes acknowledgment in his answer.

Eadm.
l. 5.
p. 120.

But to come up close to the Difference, The Question is not whe ther the Bishop of Rome have Authority to call Synods. He is a Bishop, a Metropolitan, a Patriarch, a Prince in his own Dominions. As a Bishop he may Convocate his Diocese, As a Metropolitan his Province; As a

Patriarch his Patriarchate, under the pain
 of Ecclesiasticall Censure, more or lesse
 compulsory according to that Degree of
 Coactive power which hath been indul-
 ged to him in these Distinct Capacities by
 former Sovereigns: And as a Prince he
 may convocate his Subjects under Politi-
 call paines. The more these two powers
 are united and complicated, the more ter-
 rible is the Censure. And therefore our
 Kings would have their Bishops denounce
 spirituall paines also against the Viola-
 tors of their great Charters. Spirituall
 pines are more heavy then Politicall, but
 Politicall most commonly are more speedy
 then Spirituall. And more certain; Spiri-
 tuall paines doe not follow an erring Key,
 Politicall doe.

Neither will I dispute at præsent whe-
 ther the Bishop of *Rome* by his reputed Pri-
 vacy of Order or *Beginning* of Unity may
 fully call an Oecumenicall or Occiden-
 tal Councell, by power purely Spirituall,
 which consists rather in Advise then in
 Mandates properly so called, or in Manda-
 tes of Courtely not Coactive in the Exte-
 rior Court of the Church; considering
 the Division and Subdivision of the ancient
 Empire, and the present Distractions of
 Christen

Christendome, it seemeth not altogether convenient. Wee see the Primitive Fathers did Assemble Synods and make Canons before there were any christian Emperours but that was by authority meerly spiritual they had no coactive power to compell any man against his Will. The Vttermost they could doe was to separate him from their Communion, and to leave him to the Comming or Iudgement of Christ. Let him be *Anathema maran atha.*

- I. Cor. The true Controversy then is this, Whether the Bishop of Rome by his Legates, have Coactive power in the exterior Court to Convocate Synods of English Subjects in *England*, when he will, where he will, whom he will, without their Consents, and without the leave of the Sovereign Prince or King of *England*, The Case being thus stated determineth it self. Where should the Pope appoint a place of meeting in *England* without the Leave of the King of *England*? Wee see by often experience, that if the Pope have a desire to summon a Council in *Italy*, within the Dominions of another Sovereign Prince or Republick, although they be of his own Communion; he must First aske leave, and obtain leave before he can tell how to doe it; Or how should

should he pretend to any Coactive power
in *England* without the Kings grant or
leave, where the power of the *Militia* and
all Coactive force is legally invested
in the King. Thus for point of right.

Now for matter of Fact, First I doe
utterly deny that any Bishop of *Rome* by
his own Authority did Convocate any Sy-
nod in the Brittish Island during the first
eleven hundred yeares, Or preside in any
by his Legates, Or confirm them by his
Authority. If he be no table to produce so
much as one instance to the Contrary, he
may cry guilty to the Vsurpation where
of he is accused, and hold his peace for ever.

Secondly, I doe confesse that after ele-
ven hundred yeares, The Bishops of *Rome*
taking advantage of our civill combustions,
and prostituting the reputation of the Ape-
stolickall See to their temporall ends, did by
the leave of our Kings, (not otherwise,) *Gervasi-*
sometimes call Synods in *England*, and *us Do-*
preside in them. The first Synod held in
England by any of the Popes Legats was at
London in the yeare 1125. by *Ioannes Cre-*
menfis, Which moved *England* into no smal in-
dignation, to see a thing till then unheard of in the
Kingdome of England, A Priest sitting president robor-
upon an high throne above Arch Bishops, Bishops, *nensis.*
Abbats

-bais &c. But remember my third ground or Consideration of the difference between affirmative and negative Presidents. And which this proveth, is that the King doth not give leave or connive at that time: But it doth not prove, it cannot prove a right to doe the same at other times when the King contradicteth it.

Further wee ought to take notice that there is a greate deale of difference, between an Ordinary Synod and an English Convocation. Although in truth our Convocations be Synods; So called from one word in the Kings writ to Summon them (*Convocari facias*. All the Clergy of the Realm were not present at an ordinary Synod; but all the whole Clergy, of the Kingdome were present at a Convocation, either in their Persons, or by their Proctors sufficiently authorised. Secondly, the absent Clergy had no such Obligation to the Acts of a Papall Synod, as they had to the Acts of a royall Convocation, *sub Hypotheca bonorum omnium, under the Canonicall or Pledge of all their Goods and Estates.*

Lastly to drive the naile home, and to demonstrate clearly the Grossenesse of this Papall usurpation; it remaineth onely to shew that by the Ancient Lawes of England

the calling of Convocations or Synods, belonged properly to the King, not to the Bishop of Rome or his Legates. And first by reason. By the Lawes of *England* more ancient then the Popes intrusion, no Roman Legat could enter into the Kingdome without the Kings leave, nor continue in it longer then he had his License, as wee shall see hereafter, and therefore they could not convocate any Synods nor doe any synodicall Act without the Kings leave. Secondly by Records of the English Convocation it self, that *the Convocations of the Clergy of the Realm of England are, alwayes* have been, and ought to be *Assembled by the Kings* Writ Anno 1532.

Thirdly, by the Form of the Writt, which hath ever been the same in all succeeding Ages, constantly directed from the King to the English ArchBishops for their distinct Provinces, The very Form speakes English sufficiently; *For certain difficult and urgent Businesses concerning the defence and safety of the English Church, and the peace and tranquillity, publik good and defence of our Kingdome and Subjects, Wee command and require you by that Allegiance and Love which you owe us, that you cause to be convocated with convenient speed in due manner all and singular* Bishops

*Bishops of your Province, Deanes and Priors of Cathedrall Churches, &c. And the whole Clergy of your diocese and Province, to meet before you, &c. Another Writ did always issue from the King for the dissolution. Wee command you that you dissolve or cause to be dissolved this present Convocation, this very day, in due manner, without any delay, &c. Lastly by the concurring Testimonies of all our Historiographers, That all the space of time of eleven hundred yeares, wherein the Popes did neither call Councells, nor Preside in them, nor Confirm them, and after unto the very Reformation; Our Kings did both call Councells, and Preside in them, and Confirm them, and own their Lawes; as I have shewed him by the Lawes of Ercombert, Ina, Withred, Alfred, Edward Athelstan, Edmund, Edgar, Athelred, Canute and Edward the Confessor, in my Vindication. And particularly that Theodore Archbishop of Canterbury Presided in a Councell in the Presence of John the Popes Legate. That King Edward Assembled a Synod and Confirmed the Acts of it as *Decretum Regis*. The Kings decree: That King Withred called a Councell at Becancelde and Presided in it, and that the decrees of the Councell issued in his name and by his Authority. *Firmum**

decernimus &c. in my Answer to the Bishop of *Calcedon*. All this he pretendeth to have answered: but it is with deep silence. If he desire more Presidents and more witnesses, he may have a cloud of Authors upon holding up his Finger, to prove undeniably that King *Henry* did not innovate at all in challenging to himself the right to Convocate the Clergy and dissolve them, and confirm their Acts with in his own Dominions: but followed the steps of his Royal Predecessors in all Ages, from the first planting of religion untill his own dayes.

And not onely of his own Ancestors but his Neighbours. The President of *Charles* the great is very conspicuous. To omit all my former Allegations in this behalf, In *Synodus* the French Synod, I *Charlemain Duke and Franci-* Prince of the Frankes by the Advise of the Ser- *ca 2.* vants of God and my Princes, have congregated *Tom.* the Bishops wick are in my Kingdome with the *Conc.* Priests to a Synod, for the feare of Christ to *Petri,* Counsaile me, how the Law of God and Eccle- *Crab.* siasticall Religion may be recovered, which in the Dayes of forepassed Princes is dissipated and fallen to ruine &c. And by the Counsaile of my Clergy and princes we have ordained Bishops through out the Cites and constituted over them Arch-bishop Boniface the Popes Legate, *Qui est missus Sancti Petri.*

And we have decreed every Yeare to congregare a Synod, that in our Presence the Canonically Decrees and the Rights of the Church may be restored, and Christian Religion Reformed. And in the Synod of Arles held under the said Emperour, they begin the Synod with a solemne prayer for the Emperour. The Lord of all things establish in the Conservation of his Faith, our Most Serene and religious Lord the Emperour Charles, by whose Command wee are here congregated. And they conclude the Synod with a submission to him, These things which wee judged worthy to be amended, wee have briefly noted and decreed them to be presented to our Lord the Emperour: beseeching his Clemency that if any thing be here wanting, it may be supplied by his Prudence, if any thing be amisse it may be amended by his Iudgement, if any thing be reasonably taxed it may be perfected by his help, through the assistance of the Divine Clemency.

Ibidem. cy. So the Councell of Toures begin their Synodically Acts, That which was enjoined us by so great a Prince we accomplished in meeting at the time and place appointed, Where being congregated wee noted such things by Chapters as needed to be amended according to the Canonically Rule, to be shewed to our most serene Emperour. So they conclude their Acts, These things wee have ventilated in our Assembly,

bly, but how our most pious Prince will be pleased to Dispose of them, wee his faithfull servants are ready at his beck and pleasure with a willing mind. Lastly the Synod called Synodus Cabilonensis in the dayes of the said Emperour beginneth thus, Our Lord Iesus Christ assisting us, and the most renowned Emperour Charles commanding us &c. We have noted our certain Chapters wherein reformation seemed necessary to us, which are hereafter inserted, to be presented to our said Lord the Emperour, and referred to his most sacred Iudgement, to be confirmed by his prudent examination of those things which wee have reasonably decreed, and wherein wee have been defective, to be supplied by his Wisdome. So they conclude, We have translated these things in our Assembly, but how shall please our most pious Prince to dispose of them, we his faithfull servants with a willing mind are ready at his beck and pleasure. One thing is not liker to another, then these Synodical Representations are to our old English Customes, Yet these were Catholick times, when Kings convoked Synods of their own Subjects, and either confirmed or rejected their Acts, as they thought meete for the publick good: and did give the Pope's own Legate his power of presiding in them by their Constitutions, who joined

Ibidem.

with the rest in these Synodical Acts.

Oath of Allegiance due to Kings from Clerkes not due to the Pope. I proceed to the third Branch of the Popes first usurpation, concerning the tying of English Prelates by Oath to a new Allegiance to the Pope. No man can serve two supreme Masters, where there is a possibility of clashing one with another. It is true one is but a Politicall Sovereign, and the other pretendeth but a Spirituall Monarchy: Yet if this supposed Spirituall Monarch, shall challenge either a direct power and Iurisdiction over the Temporall in the exterior Court, as Pope Boniface did, *Nos, imperia, regna, principatus & quicquid habere mortales possunt, auferre & dare possunt* Wee, even Wee have power to take away and give Empires Kingdomes Principalities, and what soever mortall men are capable of: Or challenge an indirect power to dispose of all temporall things, in order to spirituell good, (which is the opinion of Bellarmine and his party) Or lastly shall declare those things to be purely spirituell which are truly Politicall, as the Patronage of Churches and all Coactive power in the exterior Court of the Church. In all such cases the subject must desert the one or the other.

other and either suffer justly as a Traitor to his Prince, or be subjected unjustly to the Censures of the Church, and be made as an Heathen or Publicane. This is a sad case.

But this is not all, If this poore subject shall be further perswaded, that his Spirituall Prince hath Authority to absolve him from all Sinnes, Lawes, Oaths, knowing that his temporall Prince doth challenge no such extravagant power, what Emperour or King can have any assurance of the Fidelity of his own naturall subjects? It is true, a Clerk may sweare allegiance to his King, and Canonically obedient to his Bishop, but the cases are not like. No Canonically obedience either is or can be in consistent with true allegiance. The lawfull Canons oblige without an Oath. And all that Coactive power which a Bishop hath, is derived from the Prince and Sub-
jected to the Prince.

The question then is not whether a Pastor may enjoin his Flock to abstaine from an unjust oath; An oath of allegiance to a naturall Prince is justifiable both before God and man. Nor yet whether the Clergy have immunities, or ought to enjoy immunities such as render them more capable of serving God

alwayes the first Article in our *Great Charter of England*. Let the Church enjoy her *Immunities*. The question is not whether Clergy men transgressing of the Canons, ought to be tryed by Canonickall Iudges according to the Canons, especially in the first instance. For by the Law of *England* the Delinquent was alwayes allowed the liberty to appeale to *Cesar*. But the question is whether the Pope by any Act or decree of his can acquit English Subjects, or prohibit them to do homage and sweare Allegiance to their King, according to the Ancient Lawes of the Realme, because they are Clergymen: And can Command them whether the King will or not, to take a new Oath never heard of or practised formerly; An Oath of *Allegiance and Obedience* to himself. So it is called expressly in the Edition of *Gregory* the thirteenth, *Electio in Archiepiscopum sedes Apostolica Pallium non tradet, nisi prius praestet fidelitatis & Obedientiae Iuramentum*, The Apostolicall See will not deliver the Pall to an Archbishop elect, unlesse he first take an Oath of Fidelity and Obedience.

Wee have seen already how *Henry* the First was quietly seised and possessed of the Homage of his Prelates and their Oaths of Fide-

and their Oaths of Fidelity; and his Predecessors before him. So wee have heard *Platina* confessing, that before the Pope-dome of *Paschalis* the second, the *Homage and Feudall Oaths of Bishops were performed to Lay Men*, that is to Kings, not Popes. Thus much *Eadmerus* and *Naucerus* and *William* of *Malmesbury* and *Hoveden* and *Iorvalensis* doe all assure us. This agreeth sweetly not onely with the Ancient *Law of Feuds*, from whence they borrowed the name of *Investitures*: but also is confirmed by the decrees of ancient Councils, as diverse *Toletan* Councils, and that of *Aquisgrane*, which who so desireth to see, may find them cited at large by King *James* in his *Apology* for the Oath of Allegiance.

But these Oaths, and Homages, and Regal Investitures, as they were a Bond of Peace and Unity between the King and his Clergy, so they were a great Eyesore to the Bishops of *Rome*, because they crossed their maine Designe to make them selves the onely Liege Lords of the Ecclesiasticks. As appeareth by that severe Check which *Arian* the fourth gave *Frederick* the first, for requiring *Homage and Fealty of Bishops*, who are Gods, and for holding their sacred hands in his hands. It staid not here, That Ho-

Ridleys
View of
Civill
and Ec-
cles.p.
64.

Apol.
pro In-
ram.fid.
ca. 56.

De E-
lect. &
Elect.
po:est.
ca. 4.

mage and Oath of Fidelity which *Gregory* the seventh and *Calixtus* did rob the King of, their immediate Successour *Paschalis* the second did assume to himself, as wee find by the unanimous consent of all Historiographers, and by the Canon of *Paschalis* himself recorded by *Gregory* the ninth, *Significasti &c.* Thou signifiedst that Kings and the Peers of the Kingdome were moved with Admiration, because the Pall was offered to Thee by our Apocriſtaries, upon Condition to take that Oath which they brought Thee written from us, &c. The Admiration sheweth the novelty of it. He confesseth there, that the Oath was not established by the Canon of any council, but by Papall Authority, and Iustified it, For feare of further evill; That is, Apostating from the Obediēce due to the Apostolick See. The very Title doth assure us that it was an Oath of Fidelity and Obedience. What manner of assurance can Sovereign Princes promise themselves of those Subjects; who have sworn Allegiance and Obedience to a forrein Prince.

This Form at First was modest and moderate, bounding the Obedience of Arch-Bishops by the Rules of the holy Fathers, as wee find in the old Roman Pontificall but it was quickly changed from Regular

Sanctorum Patrum, to *Regalia Sancti Petri*, as we find in the new Pontificall. The Change in Letters was not great, but in the Sense abominable, *Semel falsus semper presumitur falsus*. He who is apprehended in palpable forgery, is alwayes deservedly suspected of forgery. With what Face can *Mr. Serjeant* tell us, that where the *Methode of immediate Tradition* hath place, it is impossible for encroachments to gaine Admittance, Where we see such *Hocus Pocus* tricks plaid before our eyes in their Pontificall. *Bellarmino* would perswade us that in *St. Gregory* the firsts time there was such an Oath of Obedience fully made to the Bishop of *Rome*. But he doth either abuse him self, or seeketh grossely to abuse us First the Oath mentioned in Saint Gregory, was not an Oath of Obedience or allegiance, but *promissio cuiusdam Episcopi haresim suam anathematizans*, A promise of a Certain Bishop anathematizing his haresy, or an Oath of abjuration. Secondly, the Oath mentioned by Saint Gregory, was not imposed by his authority, but taken freely by the converted Bishop, to satisfie the world and to take away all suspicion of Hypocrisy, (*ne non puramente seu simulate reversus existimer*)

dic.

*Greg.
episi. l.
10. epist.
30. in
dic. 5.*

dictated to his owne Notary by the aduile of his Clergy, *Notario meo cum consensu presbyterorum & Diaconorum aique Clericorum, scribendum dictavi.* It was no Common Case of all Bishops, neither did it comprehend any such obligation to mainteine the prætended royallties of S. Peter.

And as they extended the matter of their Oath, so they did the Subject, about an hundred yeares after in the time of Gregory the ninth, enlarging it from Arch-Bishops to all Prelates, Bishops, Abbats, Priors, *De iure jurando cap. 4.* And now what remaines, but to cry up the Authority of the Canons above all Imperiall Lawes,

Cedant Arma Toga, concedat Laurea Lingua. As Bellarmine doth, who denyeth the superiority of Princes above Clergymen, *Principes Seculares respectu Clericorum non sunt Principes,* Princes are no Princes of Clerkes, &c. *Bell. li. de Cler- ca 28.* Pollicall lawes have no coactive obligation over Clerkes, but onely directive, The Civill lawes of Emperours must give place to the Canons of Popes. What new Monster is this, To receive Protection from the Lawes of Princes, and to acknowledge no Subjection to the Lawes of Princes? If Princes should put Church men out of their Protection, as Bellarmine exempts them from all

all Coactive Obligation to the Lawes
of Princes, They would quickly find their
Errour. It is an honour to Princes to pre-
serve to Church men their old Immunities,
but is it a Shame to Churchmen like
Swine, to eat the Fruit and never looke up
to the Tree from whence it falleth.

We have viewed the spoile Committed
evidently, when, and by whom. He whose
office it was to preserve all others from
spoile, could not preserve himself. It is a
Rule in Law, *Ante omnia Spoliatus restitui
debet*, Before all other things he that is spoiled
ought to be restored to his Right, And our old
English Lawes are Diametrally opposite to
these new Papall Vsurpations, in all the
parts of them. First though the Kings and
Kingdome of *England*, were alwayes care-
full to preserve the Privileges of Holy
Church. In all our *Great Charters* that was
the first thing was taken Care for, yet not as
due by Divine Law, and much lesse by the
Lawes of the Pope, (which they never re-
garded,) but as Graces and Privileges gran-
ted by the Kings of England, and there-
fore they excluded from benefit of Clergy
such sort of delinquents as they thought fit,
as *Proditores*, Traitours against the Person
of the King, *Insidiatores viarum*, such as lay
in wait

25.

E 3.

cap 4.

6.

H. 4.

cap. 2.

in wait to doe mischief upon the Highways; *Depopulatores agrorum*, such as depopulated the Land. And the most severe Lawes that ever they made, are the Statutes of *Premunire* and *Provisors* against Churchmen, for siding with the Bishop of Rome in his Vsurpations, even to the forfeiture of their Goods and Lands, their Losse of their Liberty, and the putting them out of the Kings Protection.

Secondly, our Lawes doe acknowledge every where that Homage and allegiance is alwayes due to the King from all Clergymen what soever. *Edward* the first joined all the Prelates upon their faith (or Allegiance) which they ought him. They know no Fidelity or allegiance which is due to the Pope from any English man either Clergy man or Lay man; but the just contrary that they are bound by their allegiance to fight for the King against the Pope, for the redresse of these and such like Vsurpations. In the fourteenth Yeare of *Richard* the second, all the Spirituall Lords did answer unanimously, That if any Bishop of *England*, were excommunicated by the Pope for having executed the sentences and commandements of the King,

3. Ed.

1. ca. 2.

16. Ric.

2. ca. 4.

King, *The same is against the King and his Crown, And they will and ought to be with the King in these Cases lawfully, and in all other Cases touching his Crown and his Regality, as they be bound in their Allegiance. Our Lawes know no Oath of Allegiance or Fealty due to any person but the King, they make the King to be Advowee Paramount, Supreme Lord and Patron, Guardian, Protector, and Champion of the Church of England.*

25. Ed.
3.

Lastly these Papall Oaths doe necessarily suppose a Voiage to Rome, either to take the Oath there, or if the Oath was sent them into *England*, one Clause in the Oath was, that they should come to Rome in person to receive the Popes Commands within a prefixed time. But this is directly contrary to the Lawes of England, which allow no Subject Clergiman or other, to goe to Rome without the Kings Leave. Thus much both the Prelates and Peers of the Realm told Anselm when he had a miud to visit the Pope. Thus much wee find attested by the Generall Assembly of the Kingdome in the

Statute

Statute or Assise of *Clarendon*, where one of the Customes or Lawes of the Kingdome is, That No Ecclesiasticall person might depart out of the Kingdome, without the Kings License.

Mat.
Par.
Anno
1164.
Hoveden.

No, not though he were expressly summoned by the Bilhop of *Rome*. And at a Parliament held at *Northampton* in the Reign of *Henry* the third, it was enacted, that if any persons departed out of the Kingdome, unless they would return within a prefixed time, and answer it in the Court of our Lord the King, let them be outlawed. This was the unanimous complaint of the whole Kingdome to the

Ma.
Par.
Anno
11945.

Pope, That the English were drawn out of the Realm by his authority, contrary to the Customes of the Kingdome. No Clergy man may goe to *Rome* without the Kings License, say the ancient Lawes of the Realm: Every English Prelate shall come to *Rome*, upon my command saith the Pope: What *Oedipus* can reconcile the English Lawes and Papall mandates? Commonly good Lawes proceed from evill manners, and abuses doe ordinarily precede their Remedies. But by the Providence of our Ancestors our English Remedies were preexistent before their Usurpations. *Non remittitur Peccatum nisi restituatur ablatum*, Vntill they restore those rights whereof they have robbed the King
and

nd Kingdome, Wee may pardon them, but
 they can hope for no forgivenesse from
 God. I will conclude this point with an
 ancient Fundamentall Law in the Britan-
 nick Island, *Si quis cum alio societatem coierit,*
idem & obsequium adversus quemlibet professus,
capite punitor. If any subject enter into League
 with another (Prince) professing Fidelity and
 obedience to any one (belides the King) Let him
 lose his head.

Hect.

Boet.

Hist.

Tenhs
and first

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Pope.

I come now to the last Branch of the first
 Chapall Vsurpation *Tenhs and First fruns.*
 If Christ be still crucified between two
 Thieves, it is between an old overgrown
 Officer of the Roman Court, and a Sacri-
 legious Precisian. The one is so much for
 the Splendour of Religion, and the other
 for the Purity of Religion, that between
 them they destroy Religion. Their Faces
 like Samions Foxes looke contrary wayes,
 but both of them have Firebrands at their
 tails: both of them prate of Heaven alto-
 gether, both of them have their hearts nai-
 led to the Earth. On the one side, if it had
 not been for the Avaricious Practises of
 the Roman Court, the Papacy might have
 been a great advantage to the Christiã world
 in point of Order and Vnity, at least it had
 not been so intolerable a Burthē; It is feared
 these

these will not suffer an *Eugenius* an *Adrian* or an *Alexander* to be both honest and long lived. On the other side these Counterfeit Zelots do but renew the Policy of the two old *Sicilian* Gluttons, to blow their Noses in the dishes, that they might devour the meate alone: that is cry down Church Revenues as Superstitious and Dangerous because they gape after them themselves. If it were not for these two factiōs, wee might hope to see a reconciliation. Self interest and self profit are both the procreating and conserving cause of Disunion.

Who would Imagin that the large Patrimony of St. Peter should not content or suffice an old Bishop abundantly, without preying upon the poore Clergy for Tenths and Firstfruits, and God knows how many other waies? The Revenues of that See were infinite, yet the Bishops often complained of Want: Gods blessing did not goe along with these Ravenous Courses. So Pharohs lean Kine devoured the fat, yet were nothing the Fatter themselves. The first Tenth which the Pope had from the English Clergy was only a single Tenth of their moveable Goods not by way of Imposition, but as a Beneficence, or free gift out of Courtesy. But the Roman Bishops having once tasted the

Ma.
Par,
An-
1229.

sweet,

sweet, meant not to give over so

Non missura cuiem nisi plena cruoris hirudo.

The next step was to impose Tenth upon the Clergy, not in perpetuity or as a certain Revenue due to the Papacy, but for a fixed number of yeares, as a stock for the Defence of Christendome against the incursions of the Turke. About the same time first fruits began to be exacted, not generally but onely of the Popes own Clerkes, as a Gratuity, or in plain English as a handsome Cloak of Simony. But he that perfected the Work, and made both Tenth and first fruits a certain annuall Revenue to the See of Rome, was *Boniface* the ninth, or the two and twentieth his Successor, as *Plat.* *In Vna* *Bonifa-* *ei Noni.* *Platina*, And with him almost all other writers doe agree. This *Boniface* died about the year fourteen hundred, whom *Turfelline* maketh to have been the *Turfel-* *in vna* *Vincis-* *lai.* *flourer of Papall Majesty, whose prudence did transcend his Age, for he was but thirty yeares old. He was the Usurper,* that tooke away from the Romans the free choise of their Magistrates. *Iohn* the two and twentieth lived in the time of the Councell of *Constance*, some saying above the fourteen hundreth yeare.

H

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It was he that called the Councell, and was him self deposed by the Councell for grievous Crimes, and the payment of First fruits abolished. For neither the paiment of Tenths nor First fruits did agree with the palate of the Councells of *Constance* and

Concil: Basile, Notwithstanding their gilded pre-
Const. tences.

edit. The Councell of *Constance* decreed, that

Peiri it was not lawfull for the Bishop of Rome to im-
Crab. pose any Indictions or Exactions upon the Church,
p. 1182 or upon Ecclesiasticall persons in the Name of
a Tenth or any other way. Which Decree was

Ibidem be related afterward. According to this

pag. Decree Pope *Martin* issued out his Mandate,

1164. Wee Command that the Lawes which prohib

Sess. 12 Tenths and other Burthens to be imposed by the

16. Pope upon Churches and Ecclesiasticall persons,
be observed more Strictly. And the Councell

Con. of Basill Commandeth, that as well in the Ro

Basil. man Court as elsewhere &c, Nothing be exacted

Sess. 21. for Tenths or Firstfruits &c.

But for all this the Popes could not hold

Concil. their Hands. *Leo* the tenth made a new im-
Later. position for three yeares, *Ad triennium proximum*

sub Leo- futurum, for the old ends. And it should

ne 10. seem that their mind was, that thence for-

Sess. 12. ward as the cause lasted, so should the im-

position

position. But the *Germane* Nation were not
 of the same mind, who made this their
 nineteenth Grievance, for as much as concer-
 ning *Tenbs*, which Ecclesiasticall Prelates paid *Cent.*
 rarely to the Pope, which the *Germane* Princes *Gra.*
 some yeares since did consent unto, that they should *vain.*
 be paid to the See of Rome for a certain time, upō *cap. 19.*
 condition, that this money should be deposited at
 home as a stock, for defence against the Turk,
 and no otherwise. But the time is effluxed since,
 and the Princes have learned by Experience, that
 the moneys have not been employed against the
 Turkes, but converted to other Uses &c. The
 Emperour Charles the fifth was not of the
 same mind, as appeareth by his Letter to *Apud*
 Pope Adrian the sixth, where in he reci- *Goldast*
 th the same fraud, and requireth that the *an.*
 Turbs may be detained in Germany, for that *1522.*
 use for which they were first intended.
 Lastly Henry the eighth and the Church
 and Kingdome of England were not of that
 mind, nor intended to indure such an egre-
 gious cheat any longer, so extremely con-
 trary to the Fundamentall Lawes of the
 Kingdome, and destructive to them. By *24.*
 which Lawes the King himself (who onely *Ed. cap.*
 hath Legislative power in England,) may *1.*
 not compell his Subjects to pay any such
 pensions, without the Good will and Assent of
 the Arch-Bishops, Bishops, Earls, Barons,
 H 2 Knights

*Traictes
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droit &
libertees
de l'E-
glise
Gallica-
ne
&
Pro Li-
bertate
Ecclesie
Gallica-
ne ad-
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nam
Aulam
Defensio
Parisi-
ensis Cu-
ria.*

Knights Burgesses and other Freemen of the Land.
Much lesse can a forrain Prince or Prelate
whatsoever he be, impose any such pay-
ments by his own Authority. This is that
which is so often Condemned in our Sta-
tutes of *Provisors*, Namely, the imposing
Pensions and exporting the Treasure of
the Realme. The Court of Rome is so far
from any Pretense of Reparation, that
their Predecessors were living, they were ob-
liged to make restitution. These are all
the Differences that are between us, concern-
ing the Patronage of the Church of England.

Yet now least he should urge that these
Lawes alledged by mee, are singular obso-
lete Lawes, not Consonant to the Lawes
of other Christian Kingdomes, I will Par-
tell them with the Lawes and Liberties of
France, which he him self acknowledges
to be a Catholick Country, as they are re-
corded in two Authentick Bookes, One of
the Rights and Libertyes of the Gallick
Church. The Other, *The Defence of the*
Court of Paris for the Liberty of the Gallick
Church against the Roman Court, both prin-
ted by Authority. First for the Patronage
of the Church.

The fourth Liberty is, *The King hath power*
to Assemble or cause to be Assembled, Synod
Provinciall or Nationall, and therein to treat

such things as concern Ecclesiasticall Order.

The seventh Liberty is, *The Prelates of the French Church, although commanded by the Pope, for what cause so ever it be, may not depart out of the Kingdome without the Kings Commandement and License.*

The eleventh Liberty is, *The Pope cannot impose Pensions in France upon any Benefices having Cure of Soules, Nor upon any other, but according to the Canons &c.*

The Fourteenth Liberty is, *Ecclesiasticall persons may be Convented, Iudged, and sentenced before a secular Iudge for the First enormous Crime, or for lesser offences after a relapse.*

The fifteenth Liberty is, *All the Prelates of France are obliged to swear Fealty to the King, and to receive from him their Investitures for their Fees and Manours.*

The nineteenth Liberty is, *Provisions, Reservations, expectative graces have no place in France.*

This is the brief summe of those Liberties which concern the Patronage of the Gallican Church, agreeing perfectly with our old English Customes. I shall shew him the same perfect Harmony between their Church Liberties and our English Customes, the Assise of Clarendon, the Statutes of *Provisors* and *Premunire*, through out. Either Mr. Serjeant must make the Gallican Church Schismaticall, which he dare not doe, and if I conjecture rightly hath no mind to doe: or he must acknowledge our English Lawes to be good Catholick Lawes for Company.

Sect.

Sect. I. Cap. VI.

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power in
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Omnibus
Christ
Mon-
narch.
pag. 4.
1. Eli.
c. 1.

Conca
Constan
Sess.
39.

The next Vsurpation which offereth it
self to our Consideration, is the Popes Le-
gislative power ouer the Church and King-
dome of *England*, either in his person or by
his Legates. For the clearer understanding
whereof, the Reader in the first place may
be pleased to take notice, that we receive
the ancient Canons of the Catholick church
and honour them more then the Romanists
themselves; as being selected out of the
Canons of Primitive Councells, before the
Roman Bishops did challenge any plen-
tude of Legislative power in the Church.
And especially of the first four General
Councells: of which King *James* said most
truly, that *Publica Ordinum nostrorum Sancti-
one recepta sunt*, They are received into our
Lawes. We acknowledge that just Canons
of Councells lawfully Congregated and
lawfully proceeding, have power to bind
the Conscience of Subjects as much as Po-
liticall Lawes, in themselves not from
themselves as being humane lawes, but from
the Ordinance of God, who commandeth
Obedience of Subjects to all sorts of Superi-
ours. We receive the Canons of other
Primitive Councells, but not with the same
degree of Reverence as wee doe the
first four generall Councells. No more did

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S. Gregory of old, No more doth the Pope
 now in his solemne Profession of his Faith,
 at his election to the Papacy, according
 to the decree of the Councell of *Constance*.
 That which restrained them, restraineth us.
 I am more troubled to thinke, how the Pope
 should take himself to be an Ecclesiasti-
 call Monarch, and yet take such a solemne
 Oath, *In the Name of the Holy and undivided*
Trinity, Father, Son and Holy Ghost, to keep
the Faith of the Councell of Chalcedon to the least
Title. What the faith of the Fathers of
Chalcedon was in this greate Controversy
 about the Papacy, may appeare by the six-
 teenth Session, and the Acclamation of the
 Fathers to the Sentence of the Iudges, *Hac*
justa Sententia, hac omnes dicimus, hac omnibus
placent &c. This is a just Sentence, These
 things wee all say, These things please us all &c
 Secondly, we acknowledge that Bishops.
 were alwayes esteemed the proper judges of
 the Canons, both for composing of them
 and for executing of them: but with this
 caution, that to make them Lawes the con-
 firmation of the Prince was required; and to
 give the Bishop a coactive power to execute
 them, the Princes grant or concession was
 needfull. The former part of this caution is
 evident, in *Iustinians* confirmation of the
 fifth Generall Synod. *Hac pro communi Pa-*

Constit.
Iustin.
cont.
Antim.
in Syn S

Hove-
den.

*ce Ecclesiarum Sanctissimarum statuimus, hee
sententiavimus, sequentes Sanctorum Patrum do-
gmata, &c.* These things wee ordaine, these things
wee have sentenced, following the opinion of the
Holy Fathers, &c. *Quae Sacerdotio visa sunt, &
ab Imperio confirmata:* Which were approved by
the Clergy, and confirmed by the Emperour. The
second part of the caution is evident out of
the Lawes of William the conquerour, *Qui
decimam de iunuerit, per justiciam Episcopi, & Regis
si necesse fuerit, ad solutionem arguatur, &c.* Who
shall detain his Tythe, Let him be convinced to pay
it by the justice of the Bishop, and if it be needfull of
the King, For these things S. Austin preached and
taught, and these things (that is, both Tythes and
jurisdictio) were granted fro the King, the Barons,
and the People. So hitherto there is no diffe-
rence betwee us, they acknowledge that the
King is the Keeper of both the Tables: and
wee say that for the first Table the Bishops
ought to be his Interpreters.

Thir dly, as wee question not the Popes legis-
lative or coactive power over his own subjects:
so we submit to the judgemēt of the Catholick
church, whether he ought to have a primacy of
order as the successour of S. Peter, and as a con-
sequent thereof, a right (if he would content
himself with it) to summō Councells, when and
where there are no Christian Sovereignes to
doe it: and to joyne with other Bishops in ma-
king spirituall Lawes or Canons such as the A-
postles made, and such as the primitiv Bishops
made

act. 15.
25.

made before there were christiā Emperours. But then those Canons are the Lawes of the Church, not of the Pope: As those Canons in the Acts of the Apostles were the Lawes of the Apostolicall College, *The Apostles and Elders and Brethren*, not the Lawes of *S. Peter*. Then their Lawes have no Coactive Obligation to compell Christians in the outward Court of the Church against their Wills, or further then they are pleased to submit themselves. All exterior coactive power is from the Sovereigne Prince, and therefore when and where Emperours and Kings are Christians, to them it properly belongeth to summon Councells, and to confirm their Canons, thereby making them become lawes. Because Sovereign Princes onely have power to License and Command their Subjects to Assemble, to assign fit places for their Assembling, to protect them in their Assemblies, and to give a Coactive power to their Lawes, without which they may doe their best to drive away Wolves, and to oppose Heriticks; but it must be with such Armes as Christ had furnished them withall, that is, persuasions, Prayers, Teares, and at the most separating them from the Communion of the faithfull, and leaving them to the Judgement of Christ.

The

The Controversy is then about new upstart Papall Lawes either made at Rome (such are the decretalls of *Gregory* the ninth, *Boniface* the eighth, *Clement* the fifth and succeeding Popes:) Or made in *England* by Papall Legates, as *Otho* and *Othobone*; Whether the Pope or his Legates, have power to make any such Lawes to bind English Subjects, and compell them to obey them against their Wills, the King of *England* contradicting it. The first time that ever any Canon of the Bishop of *Rome*, or any legislative Legate of his, was attempted to be obtruded upon the King or Church of *England*, was eleven hundred yeares after Christ. The first Law was the Law against taking Investitures to Bishopricks from a Lay hand. And the first Legate that ever presided in an English Synod was *Johannes Cremenfis*, of both which I have spoken formerly. Observe Reader and be astonished, if thou hast so much faith to believe it, That the Pope should pretend to a legislative power over British and English Subjects by divine right, and yet never offer to put it in execution for above eleven hundred yeares.

It remaineth now to prove evidently that *Henry* the eighth by his Statute made for that

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that purpose, did not take away from the Bishop of Rome, any Privilege which he and his Predecessors had held by Inheritance from St. Peter, and been peaceably possessed of for fifteen hundred years. But on the contrary, that eleven hundred years after St. Peter was dead, the Bishops of Rome did first invade the right of the Crown of England, to make Lawes for the externall Regiment of the Church, which the Predecessors of Henry the eighth had enjoyed peaceably, untill the dayes of *William Rufus*, *nemine contradicente*. And that the Kings Lawes were evermore acknowledged to be true Lawes and obligatory to the English Subjects: but that the Popes decrees were never esteemed to be binding Lawes in England, except they were incorporated in to our Lawes, by the King and Church or Kingdome of England. Whence it followeth by irrefragable consequence, that Henry the eighth was not the Schismatick in this particular: but the Pope and those that maintain him, or adhere to him in his Vsurpations.

First, for the Kings right to make Lawes, not onely concerning the outward Regiment of the Church, but even concerning the Keys of Order and jurisdiction, so far as to oblige them

them who are trusted with that power by the Church, to doe their duties, it is so evident to every one who hath but cast his Eyes upon our English Lawes, that to bestow labour on proving it, were to bring Owles to *Athens*, Their Lawes are extant made in all Ages, concerning faith and good Manners, Heresy, Holy Orders, the Word, the Sacraments, Bishops, Priests, Monkes, the Privileges and Revenues of Holy Church: Marriages, Divorces, Simony, The Pope, his Sentences, his oppressions and usurpations, Prohibitions, Appeales from Ecclesiasticall judges, and generally all things which are of Ecclesiasticall Cognifance; and this in those times which are acknowledged by the Romanists themselves to have been Catholick. More then this, they inhibited the Popes own Legate *to attempt to decree any thing contrary to the Kings Crown and dignity*, And if they approved the decrees of the Popes Legates, they confirmed them by their Royall Authority, and so incorporated them into the Body of the English Lawes,

Secondly, that the Popes decrees never had the force of Lawes in England without the Confirmation of the King, Witnesse the decrees of the Councell of *Lateran* as they are commonly called: but it is as cleare as

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the day to any one who readeth the eleventh, the six and fortieth, and the one and sixtieth Chapters, that they were not made by the Councell of *Lateran*, but some time after; perhaps not by *Innocent* the third, but by some succeeding Pope. For the author of them doth distinguish himself expressly from the Councell of *Lateran*, *It was well provided in the Councell of Lateran &c.* But because that *Statute* is not observed in many Churches, we confirming the foresaid statute doe adde &c. Again, It is known to have been prohibited in the councel, of *Lateran*, &c. But we inhibiting the same more strongly &c. How soever, they were the Popes decrees, but never were received as Lawes in England, as wee see evidently by the third Chapter, That the Goods of Clergimen being convicted of Heresy be forfeited to the Church, That all Officers Secular and Ecclesiasticall should take an Oath at their Admission, into their Office, to their power to purge their Territories from Heresy, That, if a Temporall Lord did neglect, being admonished by the Church, to purge his Lands from Heresy, he should be excommunicated, And if he continued to satisfy within a yeare, the Pope should absolve his Subjects from their Allegiance. And by the three and fortieth Chapter, That,

That no Ecclesiasticall person be compelled to swear allegiance to a Lay man. And by the fix and fortieth Chapter, that Ecclesiasticall persons be free from taxes. Wee never had any such Lawes, all Goods forfeited in that kind were ever confiscated to the King; We never had any such Oaths, Every one is to answer for himself; We know no such power in the Pope to absolve Subjects from their allegiance in our Law; With us, Clergymen did ever pay Subsidies and taxes as well as lay men. This is one Liberty which England hath, not to admit of the Popes Lawes unlessse they like them.

20. A second Liberty of England is to reject
 H. 3. the Popes Lawes in plaine termes. The
 6. 9. Pope made a Law for the Legitimation of
*Children borne afore Matrimony as well as
 those borne in Matrimony*. The Bishops
 moved the Lords in Parliament, that they
 would give their consent to the Common Order of
 the Church: But all the Earles and Barons
 answered with one voice, that they would not
 change the Lawes of the Realm, which hitherto
 had been used and approved. The Popes le-
 gislation could not make a Law in England,
 without the concurrence of the three Or-
 ders of the Kingdome: and they liked their
 own old Lawes better then the Popes new
 Law.

A Third Liberty of England, is to give a Legislative Interpretation to the Popes Lawes, which the Pope never intended: The Bishop of Rome by a constitution made at the Councell of Lions, *excluded Bigamists (men twice Married) from the Privilege of Clergy*, that is, that should Marry the second time *de futuro*: But the Parliament made an Act that the constitution should be understood on this wise, that *whether they were Bigamists before the constitution, or after, they should not be delivered to the Prelates, but Justice should be executed upon them as upon other Lay people. Ejus est Legem Interpretari, cuius est condere.* They that can give a Law a new sense, may abrogate it if they please.

A fourth Liberty of England is to call the Popes Lawes *Vsurpations, Encroachments, Mischiefs, contrary to, and destructive of the Municipall Lawes of the Realme, derogatory to the Kings Regality*: And to punish such of their Subjects as should pursue them, and obey them, with *Imprisonment, with Confiscation of their Goods and Lands, with outlawing them, and putting them out of the Kings Protection.* Witnesse all those noble Lawes of *Provisors and Premunire*, Which we may truly call the *Palladium* of England, which pre-

25. preserved it from being swallowed up in
 E. 1. that vast Gulfe of the Roman Court; made
 27. by *Edward* the first, *Edward* the third,
 E. 3. *Richard* the second, and *Henry* the fourth
 2. H. 4. All those Collations, and Reservations, and
 cap. 3. Provisions, and Privileges, and Sentences,
 & 4. which are condemned in those Statutes,
 7. were all grounded upon the Popes Lawes,
 H. 4. and Bulls, and Decrees, which our Ancestors
 cap 6. entertained as they deserved.

Othobon the Popes Legate in *England*, by
 the Command of *Vrbane* the fifth made a
 Constitution for the endowment of Vicars
 in Appropriations, but it prevailed not;
 whereas our Kings by two Acts of Parlia-
 ment did easily effect it. No Ecclesiastical
 Act is impossible to them who have a Le-
 gislative power; but many Ecclesiastical
 Acts were beyond the Sphere of the Popes
 Activity in *England*. The King could make
 a spirituall Corporation; but the Pope
 could not. The King could exempt from
 the Iurisdiction of the Ordinary; but
 the Pope could not. The King could
 Convert Seculars into Regulars; but the
 Pope could not. The King could grant
 the Privilege of the Cistercians; but the
 Pope could not. The King could Appro-
 priate Churches; but the Pope could not.

Out

Our Lawes never acknowledged the Popes 2.H.4.
 plenitude of Ecclesiasticall power, which c.3 &
 was the ground of his legislation. *Euphemius* 4.
 objected to *Gelasius*, that the Bishops of
 Rome alone could not condemne *Aca-*
tius, *ab uno non potuisset damnari*. *Gelasius* *Gelas.*
 answered, that he was condemned by the *epist. ad*
 Councell of *Chalcedon*, and that his Predecessor *Faustū*,
 for was but the Executor of an old Law, and
 not the Author of a new. This was all the an-
 cient Bishops of Rome did challenge, to be
 Executors of Ecclesiasticall Lawes, and not
 single Law makers. I acknowledge that in
 his Epistle to the Bishops of *Dardania*, he
 attributeth much to the Bishops of Rome
 with a Councell; but it is not in making
 new Lawes or Canons, but in executing old,
 as in the case of *Athanasius* and *Chrysostome*.
 The Privileges of the Abby of Saint Austin in *Eadm.*
England granted by the Popes, were condemned l.4. p.22.
 as null, or of no validity, because they were
 not raised by the King, and approved by the
 Peers. William the Conquerer would not suffer *Eadm.*
 any man within his Dominions to receive the l.1. p.2.
 Pope for Apostolicall Bishop, but by his com- 6.
 mand, nor to receive his letters by any meanes,
 unless they were first shewed to him. It is
 likely this was in a time of Schisme,
 when there were more Popes then

one, but is sheweth how the King did interest himself in the affaires of the Papacy, that it should have no further influence upon his subjects then he thought fit. He who would not suffer any man to receive the Popes letters without his leave, would much less suffer them to receive the Popes lawes without leave. And in his prescription to Remigius Bishop of Lincolne, *know ye all Earles and Viscounts, that I have judged that the Episcopall (or Ecclesiasticall) lawes which have bene of force untill my time in the Kingdome of England, being not well confirmed according to the precepts of the holy Canons should be amended in the common assembly, and with the Counsaile of my Arch-Bishops and the rest of the Bishops and Abbats, and all the Princes of my Kingdome.* He needed not the helpe of any forreine Legislation, for amending Ecclesiasticall Canons and the externall regiment of the Church.

Now let us see whether the Libertyes of France be the same with our English Privileges. The second Liberty is this, *The Spirituall Authority and power of the Pope is not absolute in France (if it be not absolute then it is not singly Legislative,) but limited and restrained by the Canons and ancient Councils of the Church.* If it be limited by

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Ancient Canons, then it hath no power to abrogate Ancient Canons by new Canons. Their ancient Canons are their Ecclesiasticall Lawes, as well as ours, and those must be received in that Kingdome. They may be excellent Advisers without reception: but they are no Lawes without publick reception, Canons are no Canons either in England or in France, further then they are received.

The third Liberty is, *No Command whatsoever of the Pope* (Papall decrees are his chief Commands) *can free the French Clergy, from their Obligation to obey the Commands of their Sovereign.* But if Papall power could abrogate the ancient Lawes of France, it shoud free their Clergy, from their Obedience to their Sovereign Prince.

The sixteenth Liberty is, *The Courts of Parliament have power to declare null and void the Popes Bulls, whē they are found contrary to the Liberties of the French Church, or the Prerogative Royall.*

The twentieth Liberty, *The Pope cannot exempt any Church, Monastery, or Ecclesiasticall Body from the jurisdiction of their Ordinary, nor rect Bishopricks into Arch Bishopricks, nor unite them, nor divide them, without the Kings license.* England and France as touching their Liberties walk hand in hand.

To conclude, the Popes legislative power in England was a grosse Vsurpation, and was suppressed before it was well formed. But they are affraid of the old Rule, *Break ice in one place and it will crack in more.* If they did confesse one Errour, they should be suspected of many; If their Infallibility was lost, all were gone: And therefore they resolve to bear it out with head and shoulders, and in place of disclaiming a single power to make Ecclesiasticall Lawes, and to give them a coactive obligation in exterior Courts, they challenge a power to the Pope (some say ordinarily, others extraordinarily; some say directly other indirectly,) to make and abrogate Political Lawes throughout Christendome, against the Will of Sovereign Princes. They who seem most moderate and Cautelous among them are bad enough, and deserve right well to have their workes inserted into the Rebels Catechisme. *If a Civill Law be hurtfull to the Soules of Subjects and the Prince will not abrogate it, If another Civill Law be hurtfull to the Soules of the Subjects, and the Temporal Prince will not enact it; The Pope as a Spirituall Prince may abrogate the one, and establish the other. For Civill power is inferiour, and consequently subject to Spirituall power.*

*Bell. de
Rom.
Pont.
l. 5, c. 6.*

And,

And, The Ecclesiastick Republtick ought to be perfect and sufficient to attaine its end: But the power to dispose of things Temporall is necessary to attaine Spirituall ends. And, It is not lawfull to chuse an Infidel or Hereticall Prince, but it is the same danger or dammage to chuse one who is no Christian, and to tolerate one who is no Christian, and the determination of the Question whether he be fit to be tolerated or not, belongs to the Pope. In good time. From these premisses, wee may well expect a necessary Collusion. Who ever see such a Rope of Sand, so incoherent to it self, and consisting of such Heterogeneous parts, composed altogether of mistakes? Surely a man may conclude that either *nocte pinxit*, The learned Author painted this Cypresse tree in the night, or he hath a pittifull penurious Cause, that will afford no better proofes. But I hope the quarrel is dead or dying, and with it much of that Animosity which it helped to raise in the World. At least I must doe my Adversaries in this cause that right, I find them not Guilty of it. Let it live and the memory of it be extinguished for ever and ever.

Sect. I. Cap. VII.

So I passe over from the Popes Legislative power, to his Iudiciary power. Perhaps the Reader may expect to find something here of that great Controversy between Protestants and Papists; whether the Pope be the last, the highest, the infallible Iudge of Controversies of faith, with a Councell or without a Councell? For my part I do not find them so well agreed at home, where this Iudge is. All say it is the Church, but in Determining what Church it is, they differ as much as they and wee. Some say it is the Essentiall Church by reception, whatsoever the Vniverfall Church receiveth is infallibly true; Others say it is the Representative Church, that is a Generall councell; Others say it is the Virtuall Church, that it is the Pope; Others say it is the Virtuall Church and the Representative Church together, that is the Pope with a Generall Councell; Lastly, others say it is the Pope with any councell, either Generall, or Patriarchall, or Provinciall, or (I thinke) his College of Cardinalls, may serve the turne.

And concerning his infallibility all men confesse

confesse, that the Pope may erre in his Judgement and in his Tenets as he is is a private Doctor, but not in his Definitions. Secondly the most men doe acknowledge, that he may erre in his Definitions, if he Define alone without some Councell either generall or Particular. Thirdly others goe yet higher, that the Pope as Pope with a particular Councell may Define erroneously or heretically, but not with a Generall Councell. Lastly many of them which goe along with others for the Popes Infallibility, doe it upon a Condition, *Si mature procedat, & consilium audiat aliorum Pastorum*. If he proceed maturely, and hear the Counsell of other Pastors. Indeed Bellarmine saith that if any man should demand, *Whether the Pope might erre if he defined rashly? Without doubt they would all answer, that the Pope could not define rashly.* But this is meer presumption without any colour of prooffe. I appeale to every rationall man, of what communiō soever he be, whether he who saith, *The Pope cannot erre if he proceed maturely upon due advise*, doe presume that the Pope cannot proceed immaturely or without due advise, or not rather that he may proceed rashly and without due advise. Otherwise the condition was vainly and superfluously added, *frustra si per plura quod fieri potest per pauciora.*

Bell. de Rom. Pont. lib. 4. Cap. 2.

But the truth is, wee have nothing concerning this Question, nor concerning any Iurisdiction meerly Spirituall in all the Statutes of Henry the eighth. They doe all intend Coactive Iurisdiction in the Exterieur Court of the Church: Yet although nothing which he saith doth constrain me, I will observe my wonted Ingenuity. Wee give the Supreme Iudicature of Controversies of Faith to a Generall Councell, and the Supreme Power of Spirituall Censures, which are Coactive onely in the Court of conscience; but if the Sovereign Prince shall approve or confirm the Acts of a generall Councell, then they have a Coactive power in the Exterieur Court, both Politicall and Ecclesiasticall. There is nothing that wee long after more, then a generall Councell rightly called, rightly proceeding; or in defect of that a free Occidentall Councell, as Generall as may be. But then wee would have the Bishops to renounce that Oath which hath been obtruded upon them, and the Councell to declare it void. *I. A. Bishop &c. will be faithfull to St. Peter, and to the Holy Apostolicall Church of Rome, and to our Lord Pope Alexander &c. I will be an assistant to rein and to defend the Roman Papacy and the Royalies of St. Peter.* Where this Oath is esteemed

Obli-

Obligatory, I doe not see how there can be
a Free Councell.

But I retire my self to that which concerneth our present Question and the Lawes
of Henry the eyghth, concerning Iudiciary
Power in the Exteriour Court of the Church
The First Branch of this third Vsurpation *The*
Whether the Bishop of Rome can receive Pope cā
Appeales from England, and send for what receive
English Subjects he please: h to Rome, without no ap-
peales
the Kings leave ? The First President, and *from*
the onely President that we have of any Ap- *England*
peale out of *England* to *Rome*, for the First *England*
thousand yeares after Christ, was that of
Wilfrid Arch-Bishop of *Yorke*; though to
speak the truth, that was rather an Equita-
ble then a Legall appeale to the Pope, as
the onely Bishop of an Apostolicall Church
in the west, and an honorable arbitrator, and
Faithfull Depositary of the Apostolicall
Traditions, not as a Superiour Iudge.
For neither were the Adverse Parties sum-
moned to *Rome*, nor any witnesses produ-
ced, both which ought to have been done in
a Legall Appeale. But the successe was so
contrary to the Popes Interest, and the Re-
solution of the King Church and King-
dome of *England* so unanimous, That they
could not assent to the Popes Legation, be-
cause it was against reason that a person
twice

twice condemned by the whole Councell of the English, should be restored upon the Popes Letter, that England was never troubled with any more appeales to Rome untill after the Conquest. Neither Durst the Pope send any Bulls or Mandates then, but a plain Letter.

The next Appellant was *Anselm* a Stranger (who knew not the liberties of England) in the Dayes of *Henry* the first, as successeless as *Wilfrid* had bene. Will you trust the Testimony of a King? (And I know not why a King should not be trusted for the Customes of his own Kingdome) Hear King *Henry* the First the Sonne of the Conquerour, *It is a Custome of my Kingdome instituted by my Father*, (instituted indeed, but not first instituted, for it was an old Saxon Custome) *that no Pope be appealed to without the License of the King*. Another Law of the same King was, *By all meanes wee discharge forrain Iudgements*. If you will not trust the King, trust the whole Kingdome upon their Oaths, in the Dayes of *Henry* his Grandchild. The First English Custom recited in the Assise of Clarendon is this, That all Appeales in England must proceed regularly from the Archdeacon to the Bishop, from the Bishop, to the Arch Bishop, and if the Arch Bishop failed

*Malm.
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*leg. Hen
3, c. 31*

*Mat.
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to doe Iustice, the last cōplaint must be to the King
to give order for redresse. If wee will not trust *Eadme-*
the King and Kingdome, Yet let us trust the *rus l. 5.*
Pope him self: thus Paschal the secōd wri- *p. 113.*
teth to our Henry the first, *The Popes Nun-*

cies and Letters doe find no reception within thy
Jurisdiction, There are no Complaints from those
parts, no Appeales are destined to the Aposto-
lick See. The Abbat of Thorney found this *Hove.*
true by experience, who lay long in prison *den an.*
notwithstanding his Appeale to Rome. *119.*

The Case is so plaine, that I shall not cite
one Authority more in it, but onely one of
our Statute Lawes, made not onely by the
Assent (as is usuall) but upon the prayer,
and grievous and clamorous Complaints of
the Peers and Commons; That because *xxvij.*
People are Drawn out of the Realm to answer *Edw. 3.*
things, the Cognisance whereof belongeth to the
Kings Courts, and the Iudgements of the Kings
Courts are impeached in another Court (the
Court of Rome,) to the disinheriting of the
King and his Crown, and the undoing and de-
struction of the Common Law of the Land: There
fore it is ordeined, that whosoever shall draw
a man out of the Realm in Plea, if he doe not ap-
peare upon Summons and conform to the sentence
of the kings Court, he shall forfeit Lands and
Goods, be outlawed and imprisoned.

Against

Against such Fortifications grounded upon Prescription and Imperiall Lawes, the Canon of the Councell of *Sardica* will make no great Battery. Take the Councell of *Sardica* at the best, waving all exceptions, yet certainly it was no generall Councell; If it were, it had been one of the four first. If it had been a generall Councell it self, three succeeding Popes were much to blame, to Father the Canons of it upon the first Generall Councell of *Nice*. The Canons of the Councell of *Sardica* did not bind the Africans of old, much lesse bind us now. Secondly, the Canon of *Sardica* doth onely give way to Appeales to Rome in cases between two Bishops: but the Court of Rome admitteth Appeales from inferior Clergy men, from Lay men, from all sorts of men, in all sorts of Causes that are of Ecclesiasticall Cognifance. Thirdly, the Canon of *Sardica* is a meer permission, no precept, what may be done in discretion, not what ought to be done of necessity: it was proposed with a *Si vobis placet*, If it please you, and the ground of it is a Complement, *Let us honour the Memory of S. Peter*. Fourthly, There is one great Circumstance in our Case, which varieth it quite from

that proposed by *Osius* to the Sardican Fathers, that is, that our King and the Lawes of the Realm do forbid Appeals to Rome. If there had been such an Imperiall Law then, doe wee thinke that the Fathers of *Sardica* would have been so disloyall, or so simple to thinke to abrogate the Imperiall Lawes by their Canons, which are no Lawes but by the Emperours Confirmation? No, the Fathers of that Agedid know their duty too well to their Emperour, and if they could have foreseen what varicious practises, and what grosse Oppressions, would have sprung in time from this little seed of their Indulgence, they would have abominated them. Lastly, supposing the Sardican Councell had been of more Authority, and the Canon thereof of more Extent then it was, and more peremptory, and that there had been no such intervening impediment why English Subjects could not make use of that Remedy: yet the Councell of *Sardica* can give but humane right, and a contrary Prescription for a thousand years, is a sufficient Enfranchise-ment from all pretence of humane right.

The

Of Pa- The second branch of this Vsurpation
pell Bul is as cleare as the former, concerning Pa-
les and pell Bulls and Excommunications; That by
excom- our ancient Lawes they cannot be executed
munica- in England without the Kings Leave. In
tions. the Assise of *Clarendon*, this is found to be
 one of the ancient Customes of England.

Ma. That none of the Kings Servants or Tenants
Par. that held of him in Capite, might be excommu-

Anno nicated, or their Lands interdicted, before the
1164. King was made acquainted. There was a se-

Hoved. King, If any man be found bringing in the Pope
in Hen. Letter or Mandate, Let him be apprehended
2. and let justice passe upon him without delay, as
 Traitor to the King and Kingdome. It seemed

that the first and second Henryes, were no
 more propitious to Rome then Henry the
 eighth. Take one Statute more; it was

26. enacted in full Parliament by Richard the
Ric.2. second, that if any did procure or pursue any such

cap.4. Processes or excommunications in the Court of Ro-
 me, as are there mentioned, that is, concerning
 presentatiōs to benefices or dignities Eccle-
 siasticall: and they who bring them into the
 realm, or receive them, or execute them, shall
 be put out of the Kings protection, their Lands
 Goods and Chattells be confiscated to the King
 and their Bodies attached. They had the same

respect

respect for the Popes Bulls as often as they
 did not like them, in Henry the fourths *2. Hen.*
 time, as we see by the Statute made against *4. c. 4.*
those, who brought or prosecuted the Popes Bulls
granted in favour of the Cistercians. By the *Placita*
 Law of England if any man denounced the *An. 32*
 Popes Excommunication, without the *34.*
 consent of the King, he forfeited all his Goods, *Edw. 1.*
 And it is recorded in particular, how the
 Kings writ issued out against the Bishops
 of London and Norwich, as being at the Kings
 Mercy, because contrary to the Statute of *Hoved.*
 Clarendon, by the Popes Mandate, they had *An.*
 excommunicated the Lands of Earl Hugh, and had *1165.*
 published an Excommunication without the *Ma.*
 Kings License, which the Pope had given out *Par. an*
 against him. All these Lawes continued still *1164.*
 in force, and were never repealed in En-
 gland, neither before Henry the eighth
 began the reformation, nor since by Queen
 Mary, but have ever continued in full force
 until this day.

Lastly for Legates and Legantine courts,
 there could be no Appeale in England to *Or Pa-*
 any Legate or Nuncio without the Kings *pall Le-*
 leave: but all Appeales must be from the *gates.*
 Archdeacon to the Bishop, from the Bishop
 to the Archbishop, from the Archbishop
 to the King, as we see expressly by the sta-
 tute

tute of Assise of Clarendon formerly cited
Eadme- The Kings of England did ever deem it to be
rus l. 5. an unquestionable right of the Crown (as *Ead-*
p. 125. merus testifieth) to suffer none to exercise the
 Office of a Legate in England, if the King him-
 self did not Desire it of the Pope, upon some great
 quarrell that could not be so well Determined by
 the Arch-bishop of Canterbury and the other
 Bishops. Which Privilege was consented
Ibid. unto by Pope Calixtus. By the Lawes of
 England, if a Legate was admitted of Court
Plat. tesy, he was to take his Oath to doe nothing Dis-
An. 1. rogatory to the King and his Crown. Henry
He. 7. the sixth by the counsaile of Humphry Duke
 of Gloster the Protector, protested against the
 Pope Martin and his Legate, that they
Acis would not admit him contrary to the Lawes
 and Liberties of the Realm, and dissented from
Mo- whatsoever he did. And when the Pope had
uments. recalled Cardinall Pooles Commission of
 Legate for England, and was sending another
 Legate into England, Queen Mary
 being very tender of her Kinsmans Honour,
 for all her good affection to Rome, was yet
 mindfull of this point of old English Law,
 to cause all the Seaports to be stopped, and
 all Letters Briefs and Bulls from Rome to be
 intercepted and brought to her. Shee knew this
 was an old English

lish, not a new protestant Privilege: Neither would she ever admit the new Legate to appeare as Legate in her presence.

Now let us see how theſe old English Cuſtomes doe agree with the French Liberties. *The Pope cannot ſend a Legate a latere into France with power to Reform, Iudge, Collate, diſpenſe, except it be upon the deſire or with the Approbation of the moſt Chriſtian King.* Neither can the Legate execute his Charge, untill he hath promiſed the King under his Oath upon his holy Orders, to make no longer uſe of the Legantine power in the Kings Dominions then it pleaſeth him, that he ſhall attempt nothing Contrary to the Liberties of the Gallicane Church. And it is lawfull to Appeale from the Pope to a ſacred Councell.

Another Liberty is, *The Commiſſions and Bulls of Popes are to be viewed by the Court of Parliament, and regiſtered, and publiſhed with ſuch Cautions as that Court ſhall Iudge expedient.*

A third Liberty is, *Papall Bulls Sentences excommunications and the like, are not to be executed in France, without the Kings command or permiſſion.*

Laſtly, neither the King, nor his Realm, nor Officers, can be Excommunicated nor Interdicted by the Pope.

K

And

And as England and France, so all the
 seventeen Provinces, did enjoy the same
 Privileges, as appeareth by the Placæet of
 the Councell of Brabant, dated at Bruxelles
 May 12, An. 1653. Wherein they declare
 that it was notoriously true, that the Subjects
 of those Provinces, of what State or Condition
 soever (that is the Clergy as well as the
 Laity) cannot be cited or convented out of the
 Land, no not before the Court of Rome itself.
 And that the Censures Excommunications
 &c of that Court, might not be published
 or put in execution without the Kings Appro-
 bation. It seemeth that if the Pope had any
 judiciary power of old, he must seek it
 nearer Home; People had no mind to
 goe over the Alpes to seek for Justice.
 And that Ordinance of Saint Cyprian
 had place every where among our Ance-
 stours, Seing it is decreed by all, and is
 equall and just that every mans cause be heard
 there where the Crime was committed, and
 Portion of the Flock is assigned to every Pastor
 which he may rule and govern, and must render
 an account of his Actions to the Lord; It be-
 cometh those whom wee are over, not to run
 and down, nor to knock Bishops who agree
 well, one against another, by their Commu-
 nications and deceitfull Rashnesse; but to plead the

Cypr. ad
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 Ep. 55.

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Cause there, where they may have both Accusers and Wunesses of their Crime. Vnlesse the Authority of the African Bishops who have Iudged them already, seem lesse to a few desperate and lost persons &c. To say S. Cyprian meant not to condemne appeales, but onely the bringing Causes out of Africk to Rome in the first Instance, is a shift as desperate as that of those Fugitives. For St. Cyprian telleth us plainly that the cause was already Iudged, and sentence given in Africk; The first Instance was past, and this Canon was made against Appeales out of Africa to Rome.

Seet I. Cap VIII.

So from his Iudiciary power I come to *Of Papal dispensations*, the last of the grosser *pal dispensations* of the Bishops of Rome. Where *Where pensations* I have a large Field offered me to *expansions*, I will not dilate in, if I held it so pertinēt to the present Controversy. The Pharisees did never dilate their Philacteries so much as the Roman Courtiers did their dispensative power. The Pope dispenseth with Oathes, with Vowes, with Lawes, he looseth from sinnes, from Censures, from Punishments. Is not this a strange Key, which can unlock

both finnes, and censures, and Punishments, and Lawes, and Oaths, and Vowes, where there are so many and so different wards? It is two to one that it proveth not a right Key, but a Picklock. Their doctrine of Dispensations was foule enough, especially in such cases as concern the Law of God or Nature; as Oaths, Vowes, Leagues, Marriages, Allegiance. For either they make the dispensation to be onely Declarative; and then the Purchaser is meerly Cheated, who payes his money for nothing: Or else they make all Contracts, Leagues, promises to be but Conditionall, *If the Pope approve them*, which destroyeth all mutuall trust and humane Society: Or thirdly they make the Popes Dispensations, to be a taking away of the matter of the Vow or Oath, that is, the Promise; as if the Papall power could recall that which is past, or make that to be undone to day which was done yesterday, or that not to be promised which was promised: Or lastly they doe dispense with the Law of God and Nature, as they doe indeed, what soever they pretend to the Contrary, or all this kind of dispensations signify nothing.

But the Practise of Dispensations was much more foule. Witnesse their Penitentiary Taxe, wherein a man might see the

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Price of his Sin before hand, Their common Nundination of Pardons, Their absolving Subjects from their Oaths of Allegiance, Their loosing of Princes from their solemn Leagues, of Married people from the Bonds of Matrimony, of Cloysterers from their Vowes of Celibate, of all sorts of persons from all Obligations Civill or sacred. And whereas no Dispensation ought to be granted without just cause, now there is no cause at all inquired after in the Court of Rome, but onely the Price. This is that which the *Memo-* nine choise Cardinalls laid so close to the conscience of Paul the third, *How Sacred and sa Ma-* Venerable the Authority of the Lawes ought to be, *gestad.* how unlawfull and pernicious it is to reape any *Caoli-* gaine from the exercise of the Keys. They in- *ca cap.* veigh sadly throughout against dispēfatiōs, 6. and among other things that *Simoni* acall persons were not affraid at Rome, first to commit Simony, and presently to goe buy an Absolutiō and so reteine their Benefice. *Bina Venena* *juvant.* Two grosse Simonies make a title at Rome, Thankes to the Popes dispensations.

But I must contract my discourse to those Dispensations which are intended in the Lawes of Henry the eight, that is, the power to dispense with English Lawes in the Exterieur Court, Let him bind or loose inwardly

whom he will, whether his Key erre or not, we are not concerned. Secondly as he is a Prince in his own Territories, he that hath power to bind, hath power to loose, He that hath power to make Lawes, hath power to dispense with his own Lawes. Lawes are made of Common Events. Those benigne Circumstances which happen rarely, are left to the dispensative Grace of the Prince. Thirdly as he is a Bishop, whatsoever dispensative power the ancient Ecclesiasticall Canons, or Edicts of Christian Emperours, give to the Bishop of Rome within those Territories which were subject to his Iurisdiction by Humane right, we do not envy him; So he suffer us to enjoy our ancient Privileges and Immunities, freed from his encroachments and Vsurpations. The Chief ground of the Ancient Ecclesiasticall Canon was, *Let the Old Customes prevaile*. A Possession or Prescription of eleven hundred yeares, is a good ward both in Law and Conscience against humane Right, and much more against a new pretense of divine right. For eleven hundred yeares our Kings and Bishops enjoyed the sole dispensative power, with all English Lawes Civill and Ecclesiasticall. In all which time he is not able to give one Instance of a Pa-

pall

shall Dispensation in England, nor any shadow of it when the Church was formed. Where the Bishops of Rome had no Legislative power, no Iudiciary power in the Exterieur Court, by necessary consequence they could have no Dispensative power. The first reservation of any Case in England to the Censure and absolution of the Pope, is supposed to have been that of *Albericus* the Popes Legate, in an English Synod in the yeare 1138. *Neque quisquam ei prater Romanum Pontificem, nisi moris urgente periculo, modum penitentiae finalis injungat.* Let no man injoyne him the manner of finall Penance but the Bishop of Rome, except in danger of death.

But long before this, indeed from the beginning, our own Bishops (as the most proper Iudges, who lived upon the place and see the nature of the Crime and the degree of the Delinquents Penitence or Impenitence,) did according to equity relaxe the rigour of Ecclesiasticall Canons; as they did all over the Christian world, before the Court of Rome had usurped this gainfull Monopoly of Dispensations. In the Lawes of *Alured* alone, and in the conjoint Lawes of *Alured* and *Gunthrun*, we see how many sortes of Ecclesiasticall crimes were dispensed withall by the sole authority

*Gervas
Dorber.*

pag
1648.

*Spelm.
Concil.
pa. 364.
c.*

*ibid.
p. 481.*

*Lanf.
Ep. 32.*

*Eadm.
l. 3. p.
57.*

of the King and Church of England, and satisfaction made at home to the King, and to the Church, and to the Party grieved, or the Poore, without any manner of reference at all to the Court of Rome, or to any forreine Dispensation. The like we find in the the lawes of some other Saxon Kings. There needed no other penitentiary tax. *Dunstan* the Arch-Bishop had Excommunicated a great Count, He made his Peace at Rome, and obtained the Popes Commaund for his restitution to the bosome of the Church. *Dunstan* answered, *I will obey the Pope willingly when I see him penitent*, But it is not Gods will that he should lie in his sinne free from Ecclesiasticall discipline to insult over us. God forbid that I should relinquish the law of Christ for the cause of any mortall man, Roman dispensations were not in such Request in those daies.

The Church of England dispensed with those Nunnes, who had fled to their Nunneries not for the love of religiō, but had taken the veile upon them meerly for feare of the French; and this with the counseile of the King in the daies of *Lanfranke*: and with *Queene Maud* the wyfe of *Hēry the First* in the like case, in the daies of *Anselme*, without any suite to *Rome* for a forreine dispensatiō.

There can be nothing more pernicious then

then where the sacred Name of Law, is pro-
 mitted to avaricious ends; Where Statutes
 or Canons are made like Pitfalls or Traps to
 catch the Subjects by their purses; where
 profitable faults are cherished for private
 advantage by Mercenary Iudges, as beggars
 do their sores. The Roman *Rota* doth ac-
 knowledge such ordinary avaricious Dis-
 pensations, to be *Odious things*. The Dele-
 gated Cardinalls make them to be sacrile-
 gious things, an *unlawfull selling of the*
power of the Keys. Commonly they are cal-
 led *Vulnera Legum*, The wounds of the La-
 wes: And our Statutes of Provisers doe
 stile them expresse *the undoing and Destruc-*
tion of the Common Law of the Land. The
 King, the Lords Spirituall and Temporall,
 and the whole Common wealth of England,
 complained of this abuse as a mighty Grie-
 vance; *Of the frequent comming among them*
of this infamous Messenger the Popes Non
Obstante, (that is his Dispensations) by which
Ords, Customes, Writings, Grants, Statutes,
Rights, Privileges, were not onely weakened but
annulled. Sometimes these Dispensative
 Bulls came to legall Tryalls, and were con-
 demned. By the Law of the Land the Arch-
 Bishop of Canterbury was Visiter of the Uni-
 versity of Oxford, Boniface the eyght by his
 Bull dispensed with this law, and excepted the

27.
 Edw. 3.

Mat.
 Pa. an.
 1245.

Univerſity from the Jurisdiction of the Arch-Biſhop. Whereupon there grew Controverſy, and the Bull was decreed voide in Parliament by two ſucceeding

Ex Kings, as being obtained to the Prejudice
Arch. the Crown, the weakning of the Lawes and Cu-
Tur. ſtomes of the Kingdome, (in favour of Lollards
London. and hereticks) and the probable Ruine of the ſaid
Ex An- Univerſity.

tiq. A. How the Liberties of France and the Law
cad. and Cuſtomes of England doe accorde
Cantab. in condemning this Viſurpation wee have
pa. 91. ſeen formerly, The power of the Pope is
 abſolute in France, but limited and reſtrained by
 the Canons of Ancient Councells. If it be limited
 then it is not Paramount above the Canons
 then it is not diſpenſative to give Non Obſtante's
 to the Canons. And the Popes Legats may not
 execute his Commiſſion, before he hath promiſed
 under his Oath upon his holy Ordre that he will
 not attempt any thing in the exercise of his
 Legantine power to the Prejudice of the Decrees
 of Generall Councells, or the Privileges of the
 French Church. Then he muſt give no Diſpenſations
 againſt the Canons, Contrary to thoſe Privileges.

Thus we have viewed all the real differences
 between the Church of Rome and us, concerning Papall power which

we take notice of. There are some
 other petty Abuses which we complain of,
 but they may be all referred to one of these
 our heads, The Patronage of the Church
 of England, The Legislative, The Judiciary,
 and Dispensative powers. Other differences
 but the Opinions of particular Persons:
where no Law is there is no Transgression.
 We have seen evidently, that *Henry* the
 eighth did cast no Branch of Papall power
 out of England, but that which was dia-
 metrally repugnant to the Ancient Lawes
 of the Land, made in the Reign of *Henry*
 the fourth, *Richard* the second, *Edward* the
 third, *Edward* the first, *Henry* the third,
Henry the second; And these Lawes ever of
 force in England, never repealed, no not
 much as in *Queen Maryes* time, when
 the Lawes of *Henry* the eighth and
Edward the sixth which concerned the Bi-
 shop of *Rome* were repealed. So that I pro-
 pose clearly, I doe not see what advantage
Henry the eighth could make of his own La-
 wes, which he might not have made of those
 Societ lawes; except onely a gawdy title of
Head of the English Church, which survived
 him not long; and the *Tiths and first fruits* of
 the Clergy, which was so late an usurpation
 of the Pope, that it was not in the nature of
 things, when those ancient lawes were made.
 And

And since I have mentioned the Novelties of that upstart Vsurpation, give me leave to let you see how it was welcommed in England, whilest it was but yet hatching with the shell upon the Head of it, By Law of Henry the fourth, about an Hundred yeares before Henry the eyghth, (so late this Mushroom began to sprout up.)

6. *the grievous Complaints made to the King*
Hen. 4. cap. 1. his Commons in Parliament, of the horrible
chiefs and Damnable Custome which is intru-
ced of new in the Church of Rome, that
could have Provision of an Archbishopric
untill he had compounded with the Popes Chamber
to pay great excessive summes of money, as
for the First fruits as other lesser Fees and
Perquisites, &c. The King ordeineth
Parliament, as well to the Honour of God
to eschew the Damage of the Realm and peace
of soules, That whosoever shall pay such
summes should forfeit all they had, or
much as they might forfeit. Wherein are
Henry the eightes Lawes more bitter against the
Bishop of Rome, or more severe than
this is?

To conclude, we have seen the precise time when all these Weeds did first begin to peep out of the earth, The very first introduction to the intended Pageant, was the spoiling of Christian Kings of the Patronage

the Church, which *Bellarmino* confesseth
 that they held, *Per non breve tempus*, For a *Apol.*
 long time. Along time indeed, so long as *Card.*
 there had been Christian Princes in the *Bell.*
 world, from *Constantine* the Great to *Henry* contra
 the fourth in the Empire; and yet longer *praf.*
 thus in Brittain, from King *Lucius* to *Monit.*
Henry the First. The Clergy of *Liege* say, *p. 66.*
Quoniam effluxit tempus quo hac consuetudo in- *Epist.*
est, &c. It is too long since this Custome *Cler.*
 of swearing fidelity to Princes) did begin. *Leod.*
 And under this Custome Holy and Reverend Contra
 Masters have yielded up their soules to God, *Pasch.*
 giving to *Cesar* that which was *Cesars*, and to 2. in 2.
 and that which was *Gods*. But there rose up *Po-* tom.
Hildebrand otherwise called *Gregory* the *Conc.*
 seventh, *Fortissimus Ecclesie Dei Vindex*, The
 most undaunted Vindicator of the Church of *Bell.*
 and, Who feared not to revoke and defend the *ibid.*
 Holy Ecclesiasticall Lawes. With this
 recordeth the Church of *Liege*, *Hildebran.*
 as *Papa Auctor hujus Novelli Schismatis*, pri-
 us *Levavit Sacerdotalem Lanceam contra*
diadema Regni &c. Pope *Hildebrand* the
 author of this new Schisme, first lift up his *Episco-*
 all Lance against the Royall diademe. And a little
 after, *Si uiriusque Legis totam Bibliothecam &c.*
 I turn over the whole Library of the old and
 Law, and all the ancient Expositors thereof

*I shall not find an Example of this Apostolical
call precept, onely Pope Hildebrand perfecting
the Sacred Canons, when he Commanded Matilda
the Marchionesse to subdue Henry the Empe-
rour, for remission of her Sinnes.*

*I take no exceptions to the person of Po-
pe Hildebrand, others have done it suffi-
ciently. Whether the Title of Antichrist
was fastened upon him justly or unjustly*

*Bern. I regard not, Yet it was in the time of the
Ep. 56. Hildebrand and Paschalis his Successor, that
the Arch-bishop of Florence affirmed by re-
velatiō, (for he protested that he knew it*

*Bern. certainly) that Antichrist was to be revealed
Serm. that age. And about this time the Walden-
65. in ses, (of whom St. Bernard saith that if we im-
Cant. re into their Faith, nothing was more Christian,
into their Conversation, nothing was more in-
prehensible,) made their Seccession from the
Bishop of Rome. And not long after*

*the yeare 1120. published a Booke to the
world that the great Antichrist was come
That the present Governors of the Roman*

*Ioseph Church, armed with both Powers Secular
Mede and Spirituall, who under the specious
de Nu- Name of the Spouse of Christ did oppose
meris the right way of Salvation, were Antichrist.*

Daniel. But I cannot but wonder what are those

(159)

and holy Ecclesiasticall Lawes which Bellar-
mine mentioneth, Those *Institutions of the Plat.*
holy Fathers which Hildebrand himself pro- *in Vita*
fesseth to follow, *Sanctorum Patrum in- Greg. 7.*
sententia sequentes; Why doe they men-
tion what they are not able to produce,
or pretend what they never can perform?
Bellarmin hath named but one poore coun-
sell Canon, without Antiquity, without
authority, without Use, without Truth. If
Mr. Serjeant be able to help him with a re-
sist, it would come very seasonably: for
without some such helps, his pretended In-
stitutions of the Fathers will be condemned
for his own Innovations, and for arrant
forgerys, and the Guilt of Schism will
fall upon the Roman Court.

Our
Laws
Meddle
not with
Spiri-

Señt. I. Cap. IX.

But I expect it should be objected, that *inall*
besides these Statutes which concern the *Juris-*
atrationage of the English Church, the *Le. diction.*
islative, the Iudiciary, the Dispenfative 28.
power of Popes, there are two other Sta- *Hen. 8.*
utes made by *Henry* the eighth; The one *cap. 10.*
Act for extinguishing the Authority of the 35.
bishop of Rome, The other an *Act for esta- Hen. 8.*
ishing the Kings Succession in the Crown, cap. 5.
wherein

wherein there is an Oath, that the Bishop of Rome ought not to have any Jurisdiction or Authority in this Realm. And that it is declared in the 37. Article of our Church, that the Bishop of Rome hath no Jurisdiction in the Kingdome of England. And in the Oath ordained by Queen Elisabeth, That no Prelate hath or ought to have, any Jurisdiction or Authority Ecclesiasticall or Spirituall in this Realm.

I answer this Objection three ways. First as to the two Lawes of Henry the eighth, They are both repealed long since by Queen Mary, and never were restored by any succeeding Prince, If there were any thing blame worthy in them let it dye with them. I confesse I approve not the Construing of one Oath for another, nor the swearing before hand to Statutes made to be made. But, *De mortuis nil nisi bonum*.

Secondly, I answer according to the equity of my second ground, that although we were supposed that our Ancestors had overreached themselves and the truth in some expressions: yet that concerns not us at all so long as we keep our selves exactly to the Line and Level of Apostolicall Tradition.

Thirdly and principally I answer, That our Ancestors meant the very same thing

hat we doe. Our onely difference is in the
 use of the Words *Spirituall Authority or Iurisdic-
 tion*, Which we understand properly of
 Iurisdiction purely Spirituall, which exten-
 deth no further then the Court of Con-
 science. But by *Spirituall Authority or Iurisdic-
 tion*, they did understand Ecclesiasticall
 Iurisdiction in the Exterieur Court, which
 in truth is partly Spirituall partly Politicall;
 The interieur habit which enableth an Ec-
 clesiasticall Iudge to Excommunicate, or
 absolve, or degrade, is meerly Spirituall, but
 the Exterieur Coaction is Originally Poli-
 ticall. So our Ancestors cast out Externall
 Ecclesiasticall Coactive Iurisdiction, The
 same doe wee: They did not take away frō
 the Pope the power of the Keyes, or Iurisdic-
 tion purely Spirituall; No more doe wee.
 To cleare the whole businesse, We must
 know, that in Bishops there is a threefold
 power; The first of Order, The second of
 interieur jurisdiction, The third of Exte-
 riour jurisdiction. The first is referred to the
 consecrating and Administring of the Sa-
 craments, The second to the Regiment of
 Christians in the interieur Court of Con-
 science, The third to the Regiment of Chri-
 stian people in the Exterieur Court of the
 Church. Concerning the two former, I
 know no Controversy between the
 L Church

Church of Rome and us but one. Whether the Bishop of Rome alone doe derive his Jurisdiction immediatly from Christ, and all other Bishops do derive theirs mediately by him. Yet I confesse this Controversy is but within a part of the Church of Rome: For many of them are of our mind, that all Bishops hold their Jurisdiction immediatly from Christ, as well as the Pope. And if it were otherwise, it were the grossest absurdity in the world. For thousands of Bishops in Christendome doe not at all derive their holy Orders from S. Peter, or any other Roman Bishop, either mediately, or immediatly (especially in Asia and Africa,) but frō the other Apostles. Must all these poore Bishops wāt the Key of Jurisdiction, and be but half Bishops, to humour the Court of Rome? For they never had ordination, or Delegation, or Commission from Rome, either mediately or immediatly, yet the Christiā World hath evermore received them for true complete Bishops.

But we have a Controversy with some others, who acknowledge no power of Governing in a Bishop but meerly directive neither more nor lesse then a Physitian hath over his Patient, To advise him to abstain from some meats because they are hurtfull to him; which advise the Patient, may either obey or reject without sinne. But all the

Schools

Schooles have tyed two Keys to the Church
 Girdle, the Key of Order and the
 of Iurisdiction, and I doe not mean
 ob my Mother of one of her Keys. *What* 1. Cor.
ye, shall I come unto you with a Rod? A rod 4. 21,
 more then chiding. The principall Branch
 his Rod is Excommunication (a Punish-
 ment more to be feared in the Iudgement
 the Fathers then all earthly Paines,) The
 spirituall Sword, Like the cutting of a
 member in the Body naturall, Or the out-
 ring of a Subject in the body Politicall. It
 Question in the Schooles, whether the
 tors Sentence in binding and loosing, be
 ly Declarative, or also operative? As if
 glorious promises, and so great solemn-
 where with this power was given, did
 ly a naked declaration; Keys are not gi-
 to signify the doore is open or shut, but
 pe or shut it indeed. For my part I have
 ayes esteemed this Questiō, to be a meer
 romachy or Contention about words.
 y who make the Sentence onely decla-
 ve in respect of man, doe acknowledge it
 operative in respect of God. And they
 make it to be Operative, make it to
 Operative by the power of God, not of
 Whether the effect be attributed to the
 cipall cause, or to the Instrument, being
 ly understood, it is both wayes true.

But this will not excuse our Innovators who have robbed the Church of one of her Keys, the Key of Spirituall jurisdiction. They are so Icalous of the honour of God that they destroy the beauty of the work and jumpe over the backes of all second causes; and so they would make the holy Sacraments to be bare Sigus. As it was of old, *the sword of the Lord and of Gideon*: we may say now, the Key of Christ and Pastor. St. Paul taxeth the Corinthians saying *I am of Paul, I am of Apollo, I am of Cephas, I am of Christ, What* (saith he) *is Christ divided? Is Christ divided from his Ministers?* As it is an Errour on the one hand to depend so much upon Paul, and Apollo, and Cephas, or any of them, as not to depend principally upon Christ: so it is an Errour on the other hand so depend so upon Christ as to neglect Paul Apollo and Cephas.

In summe Christ made his Apostles not onely Lawiers to give Advise, but Judges to give Sentence. He gave them not onely a Command but a Commission, *As my Father sent me, so send I you*, That is, I constitute you my Deputies, and Summes, with as ample power and commission as my Father gave me; Bind, Loose, Remitt, Retein, whatsoever you doe on earth (*Clave non errante, as long as your Key*

I. cor.

I. 12.

Iob. 20.

21.

I confirm in heaven. This is the Difference between the binding and loosing of Christ, and the binding and loosing of his Ministers; His power is Originall, Primitive, overaign, Imperiall; Their power is derivative, Subordinate, Delegate, Ministeriall. His Sentence is absolute *ad Sententiandum simpliciter*; Their Sentence is Conditional *ad Sententiandum si*. His Key never erreth, Their Key may erre and many times doth erre. To conclude the Apostles had legislative power, *It seemed good to the Holy Ghost and to us, to lay upon you no greater Burden then these Necessary things.* The Observation of Sunday, was an Apostolicall precept, is the Order of Deacons. They had a judicary power, and their Tribunalls; *Against an Elder receive not an Accusation, but before two or three witnesses.* They had a dissolutive power, *To whom I forgave any thing for your sakes, forgave I in the person of Christ?* But all this is onely in the interior Court of Conscience.

The third power of Bishops, is the power of exterior Jurisdiction in the Court of the Church, whereby men are compelled against their wills to Exterior Meanes. This the Apostles had not from Christ, nor their Successours from them, neither did Christ ever assume any such power of himself in the world, *My Kingdome is not of this world;* And, *Man whomade me a Judge or ruler over you?* Yet the greatest Controversies

Act 15
 28.

1. Tim.
 5. 19.

2. Cor.
 2. 10.

Ioh. 18.

36.

Luke

12. 14.

Bern. de
 Consid.
 lib. 1.

at this day in the Ecclesiasticall Court are about Possessions, as Glebes, Tithes, Oblations, Portions, Legacies, Administrations, &c. And if it were not for these, the rest would not be so much valued, in *Criminibus non in Possessionibus potestas vestra quoniam propter illa & non propter has accepistis Claves regni Calorum*, saith, St. Bernard well to the Pope. Your power is in Crime not in possessions, for those and not for these you received the Keys of the kingdom of Heaven. But suppose the Controversy to be about Crime, Yet who can summon another mans Subjects to appear where they please and imprison or punish them for not appearing without his leave? All that power which Ecclesiasticall Iudges have of Externall Coaction, they owe it wholly either to the Submission of the parties, where the Magistrate is not Christian (as the Jewes at this day doe undergoe such Penitential Acts as are enjoined them by their Superiours; because the Reverence of them who obey, doth supply the defects of their power who Command) Or where the Magistrate is Christian, they owe it to his Gracious Concessions. Of which if any Man doubt and desire to see how this Coactive power how these externall Privileges, did first come to be enjoyed by Ecclesiasticall persons

Let

Let him read over the first booke of the Code, and the Authenticks or Novels of Iustinian. And for our English Church in Particular, let him consult with our best Historiographers. Eadmerus was one whom they need not suspect of partiality, as being Pope Vrbanes own Creatre, and by his speciall appointment placed over Anselm, at his own intreaty, as a Supervisor to exercise his Obedience. Whose injunctions had so much power over him, that if he placed him in his Bed, he would not onely not rise without his Command, but not so much as turn him self from one side to another. *Ut cum Cubili locasset, non solum sine praecepto ejus non surgeret sed nec laius inverteret.* What Marvell is it if the ancient Liberties of the English Church went first to wrack in Anselms Dayes, about the Yeare of our Lord 1000 (for he died Anno 1109) who being a Stranger Primate had so totally surrendered up his own reason to the Popes Creature? Yet this Eadmerus saith of Lanfranke, His wisdom recovered other Customes, which the Kings of England by their Munificence, had granted to the Church of Canterbury in ancient times, and established them for ever by their sacred Decrees, that it might be most free in all things. All externall exemption and Coaction is Politicall, and proceedeth originally from the Sovereign Prince.

Malms
de
Gest.
Pont.
Angl.
l. 1.
pa. 120.

Eadmer
l. 4.
p. 120.

This

That wick professed it self a Politick Ordinance doth not meddle with Spirituall Jurisdiction. If it had medled with Spirituall Jurisdiction at all, it had not *vi*olented the ancient Customes of the Realm of England,

Ead-
mer l.

1. pag.
8.

1. Eliz.
1.

In summe that externall Papall power which we rejected and cast out, and which onely we call out, is the same which the English Bishops advised *Anselm* to renounce when it was attempted to be obruded upon the Kingdome, But know, that all the Kingdome complaineth against thee, that thou endeavourest to take away from our Common Maistie the Flowers of his Imperiall Crown, Whosoever takes away the Customes which pertain to his royal dignity, doth take away his Crown and Government together: for we prove that one cannot be decently had without the other. But we beseech thee consider, and cast away thy Obedience to that Urban, who cannot help thee if the King be offended, nor hurt thee if the King be pacified. Shake of the yoke of Subjection, and freely, as thou pleasest, become an Arch-bishop of Canterbury, in all thy Actions expect the Kings pleasure and Commands. What soever power our Lawes did divest the Pope of, they invested the King with it: but they never invested the King with any Spirituall power or Jurisdiction witnesseth the Injunctions of Queen *Elisabeth*

witnesse

witnesse the publick Articles of our Church, witnesse the Professions of King James, witnesse all our Statutes themselves, wherein all the parts of Papall power are enumerated which are taken away; His *Encroachments*, his *Vsurpations*, his *Oaths*, his *Collations*, *Provisions*, *Pensions*, *Tenures*, *First fruits*, *Reservations*, *Palls*, *Vnions*, *Commandams*, *Exemptions*, *Dispensations* of all kinds, *Confirmations*, *Licenses*, *Faculties*, *Suspensions*, *Appeales*, and God knoweth how many pecuniary Artifices more; but of them all, there is not one that concerneth Iurisdiction purely Spirituall, or which is an essentiall right of the power of the Keys; They are all Branches of the Externall Regiment of the Church, the greater part of them usurped from the Crowne, sundry of them from Bishops, and some bound out by the Popes themselves, as the payment for Palls, which was nothing in *S. Gregoryes* time, but a free gift or liberality or bounty, free from imposition and exaction.

Lastly consider the grounds of all our grievances, exprest frequently in our Lawes, and in other writers, *The disinheriting of the Prince and Peers*, *The destruction and Annullation of the Lawes and the Prerogative* *Apall*, *The Vexation of the King Liege people*,
The

The impoverishing of the Subjects, the draining the Kingdome of its treasure, The decay of Hospitality, The disservice of God, And filling the Churches of England with Forreiners, The excluding Temporall Kings and Princes out of their Dominions, The subjecting of the Realm to spoil and ravine, grosse Simoniackall contracts, Sacrilege, Grievous and intolerable oppressions and extortions, Jurisdiction purely Spirituall doth neither disinherit the Prince nor the Peers, nor destroy and annul the Lawes and Prerogative royall nor vex the Kings Liege people, nor impoverish the Subject, nor draine the Kingdome of its Treasures, nor fill the Churches with Forreiners, nor exclude Temporall Kings out of their Dominions, nor subiect the Realm to spoil and Ravine. Authority purely spirituall is not guilty of the decay of Hospitality, or disservice of Almighty God, or Simony, or Sacrilege, or oppressions and extortions. No, No, it is the externall regiment of the Church, by new Roman Lawes and Mandates, by new Roman Sentences and Iudgements, by new Roman Pardons and dispensations, by new Roman Synods and Oaths of Fidelity, by new Roman Bilhops and Clerkes; It is your new Roman Tenths, and First fruits, and Provisions, and Reservations, and Pardons, and Indulgences, and the rest of those horrible mischiefs and damnable Customs,

...ms, that are apparently guilty of all
 these evils. These Papall Innovations
 we have taken away indeed, and
 reservedly, having shewed the ex-
 press time and place and person, when
 and where and by whom, every one
 of them was first introduced into England.
 And we have restored to every Bird his
 own Feather, To the King his Politicall
 Supremacy, to the Peers their Patrona-
 ges, to the Bishops that Jurisdiction
 which was due to them, either by Divine
 right or Humane right. More then these In-
 novations we have taken nothing away,
 that I know of. Or rather it is not wee,
 but Henry the eighth, who did take these
 innovations away: but our Ancesters
 by their Lawes, three, foure, five hun-
 dred yeares old; so soone as they began
 to sprout out, or indeed before they were
 well formed, as their Statutes yet extant doe
 evidence to the world? But that filth which
 they swept out at the Fore doore, the Ro-
 mã Emissaryes brought in again at the back
 doore. All our part or share of this worke,
 was to confirm what our ancestors had
 done.

I see no reason why I might not conclude
 my discourse upon this Subject, *Mutatis*
Standis, with as much Confidence as
 Sanders

Sanders did his visible Monarchy, *Quis-
quis jurabit per Viventem in aeternum &c.*
Whosoever shall sweare by him that liveth for-
ever, that the Church of England is not
Schismaticall, in respect of any Branches
of Papall power, which thee hath cast out
at the Reformation, he shall not forswear
himself. But Wagers and Oaths and Pro-
testations, are commonly the Arguments of
such as have got the wrong end of the staffe.
I will shut up this long Discourse concer-
ning Henry the eighths Reformation, with
a short *Apostrophe* to my Countrymen of
the Roman Communion in England.

They have been taught, that it is we who
Apostate from the Faith of our Ancesters in
this point of the Papacy, that it is we
who renounce the Vniversall and perpetual
Tradition of the Christian world. Whe-
reas it is we who maintain ancient Aposto-
licall Tradition against their upstart Inno-
vations: whereas it is we who doe propu-
ne the Cause of our Ancesters against the
Court of Rome. If our Ancesters were
Catholick in this Cause, we cannot be
Schismaticall. Let them take heed least
whilst they fly out of a Panicall Feare from
a supposed Schisme, they doe not plunge
themselves over head and eares into real
Schisme, Let the choose, whether they will
joine

line with their Ancesters in this cause, or 15.
 with the Court of *Rome*, for with both *Ri. 2.*
 they cannot joine. If true English blood c. 4
 in their veins, they cannot be long
 deliberating about that which their Ance-
 rs, even all the Orders of the King-
 me, voted unanimously, *That they would*
and by their King, and maintaine the rights of
Imperiall Crown, against the Vsurpations of
Roman Court.

I have represented clearly to you the true
 controverſy, betwē the Church and King-
 me of *England* and the Court of *Rome*,
 concerning Papall power, not as it is ſtated
 by private writers, but in our English
 lawes, a glaſſe that cannot deceive us, for
 ſarre as to let us ſee the right Difference.
 Let them quit theſe groſſe Vſurpations;
 Why ſhould they be more aſhamed to re-
 ſtore our juſt rights, then they were to
 ſunder us of them? Let them diſtinguiſh
 between Jurisdiction purely Spirituall, and
 Jurisdiction in the exterior Court, which
 for the much greateſt part of it is Politicall:
 between the power of the Sword, which be-
 longeth to the Civill Sovereign, and not to
 the Church further then he hath been gra-
 tuouſly pleaſed to communicate it: between
 Obedience which procedeth from feare
 of man, or from feare of Gods Revenger to
 execute

(176)

execute wrath (that is, the Sovereign Prince
and that Obedience which proceeds
Ro. 13. *meerly from conscience* ; And then there
hope we may come to understand one another better.

It is true, there are other Differences between us; but this is the main Difference, which giveth Denomination to the Parties, And when they come to press those Differences, they may come to have such another account as they have now. The wider the hole groweth in 'the middle of the Milstone, Men see clearer through it.

Dies Diei cruciat verbum & nox nocti indicat Scientiam. The latter day is the Schollar the former.

Señt. I. Cap. X.

An
answer to Mr. Serjeant
BY this time wee see that *Mr. Serjeant*
great Dispatch will prove but a sleepe
lesse Errand, and that his *First Movership*
the Church, which he thought should have
born down all before it, is an unsignifi-
cant expreffion, and altogether impertinent
to the true Controversy between them
and us. Vnlesse as *Dido* did encompass
the whole Circuit of *Cathage*, with a Bull
hide by her art: so he within his *Fir-*
nity.

Movership can comprehend the Patronage of the English Church, and the right to Convoke and dissolve and confirm English Synods, and to invalidate old Oaths and to impose new Oaths of Allegiance, and to receive Tenths and first fruits, and all Legislative Judiciary and Dispensative power, Coactively in the exterior Court of the Church, over English Subjects. He cannot plead any Charter from England, we never made any such Grant: and although we had, yet considering how infinitely prejudicial it is to the publick Tranquility of the Kingdome, we might and ought more advisedly to retract what we unadvisedly once resolved. And for Prescription, he is so far to seek, that there is a cleare Prescription of eleven hundred Yeares against him. So there is nothing remaineth for him to stick to, but his empty pretense of divine Right, which is more ridiculous then all the rest; to claime a divine right of such a Sovereign power, which doth branch it self into so many particulars, after eleven hundred Yeares, which for so many Ages had never been acknowledged, never practised in the English Church either in whole or in part.

M

We

We cannot believe that the whole Christian world were Mole-eyed, or did sit in darknesse for so many Centuries of yeares untill Pope *Hildebrand*, and Pope *Paschalis*, did start up like two new Lights with their Weapons in their hands, to thumpe Princes and knock them into a right Catholick belief.

And indeed this Answer to his pretended demonstration, by a reall demonstration where the true Controversie doth lye, and who are the true innovators, doth virtually answer whatsoever he hath said. So I might justly stop here and suspend my former paines, but that I have a great mind to try if I can find out one of those many Falsifications, and Contradictions, which he would make us believe he hath espied in my discourse, if it be not the deception of his sight.

Our
faith not
only
probable.

First, he telleth us that our best Champions doe grant, that our faith and its grounds are but probable. Surely he did write this between sleeping and waking, when he could not well distinguish between necessary points of faith, and indifferent Opinions concerning points of faith: Or to use *Cajetan's* expression, between *determinare de fideformaliter*, and *determinare de eo quod est fidei Materialiter*.

Materialiter

universaliter, Between points of faith necessary
 to be believed, And such Questions as doe
 sometimes happen in things to be believed.
 As for Essentialls of faith, the Pillars of the
 Earth are not founded more firmly, then
 our beliefe upon that undoubted Rule of
Vincentius, Quicquid ubique semper & ab omni-
bus, &c. Whatsoever we believe as an Ar-
 ticle of our faith, we have for it the Testi-
 mony and Approbation of the whole Chri-
 stian World of all Ages, and therein the
 Church of *Rome* it self. But they have no
 such perpetuall or Vniversal Tradition,
 for their twelve new Articles of Pope *Pius*.
 This Objection would have become me
 much better then him. Whatsoever we be-
 lieve, they believe, and all the Christian
 World of ail Places, and all Ages, doth now
 believe, and ever did believe; except con-
 demned Hereticks: But they endeavour
 to obtrude new Essentialls of faith upon
 the Christian World, which have no such
 Perpetuall, no such Vniversal Tradition.
 He that accuseth another, should have an
 eye to himself.

Does not all the World see, that the Church
 of England stands now otherwise in order to the
 Church of *Rome*, then it did in *Henry the seventh's*
times? He addeth further, that it is confessed

that the Papall power in Ecclesiastical affaires, was cast out of Englād in Henry the eighth dayes, I answer that there was no Mutation concerning faith, nor concerning any Legacy which Christ left to his Church, nor concerning the power of the Keys, or any Jurisdiction purely Spirituall: but concerning coactive power in the exterior Court, concerning the Politicall or Externall Regimē of the Church, concerning the Patronage or civill Sovereignty over the Church of Englād, and the Legislative, Iudiciary, and Dispensative power of the Pope in Englād, over English Subjects; Which was no more then a Reinfranchisement of ourselves, from the upstart Vsurpations of the Court of Rome. Of all which I have shewed him expressly the first source, who began them, when, and where; before which he is not able to give one instance, of any such Practises attempted by the Bishop of Rome, and admitted by the Church of England.

Who it is that looks askint or awry upon the true case in Controversy between us, let the ingenuous Reader Iudge. I doe not deny, nor ever did deny, but that there was a reall separation made, yea made by us from their Vsurpations: but I both did deny, and doe deny, that there was any Separation

ma

made by us *from the Institution of Christ, or from the Principles of Christian Vnity.* This Separation was made long since by themselves, when they first introduced those novelties into the Church: and this Separation of theirs, from the pure Primitive Doctrine and* Discipline of the Church, doth acquit us, and render them guilty of the Schisme before God and man.

And therefore it is a vain and impertinent Allegation of him to tell us, that *Governours may lawfully declare themselves publicly and solemnly, against the renouncers of their Authority, by Excommunication;* unless he could shew that the Bishop of Rome, hath such an absolute Sovereignty over us as he imagineth, extending it self to all those Acts which are in Controversy between us; And that in the exercise of the power of the Keys, they proceeded duely in a legall manner; And especially that they did not mistake their own Vsurpation for the Institution of Christ, as we affirm and know they did.

His whole Discourse about immediate Tradition, is a bundle of uncertain presumptions and vain Suppositions. First he supposeth that his *Rule of so vast a multitude of Eye-witnesses of Visible things,* is uniform and vniversall; but he is quite mistaken,

mistaken, the practise was different. The *Papalms* made Lawes for their Vsurpations, and the three Orders of the Kingdome of *England* made Lawes against them. To whom in Probability should our Ancestors adhere, to their owne Patriots, or to Strangers?

Secondly he presumeth, that this uniform practise of his Ancestors was invariable, without any shadow of Change, but it was nothing lesse. First Investitures were in the Crown, and an Oath of Fidelity made to the King without any Scruple, even by *Lanfranke* and *Anselm* both Strangers; Afterwards the Investitures were decried as profane, and the Oath of Fidelity forbidden. Next a new Oath of Allegiance was devised of Clergimen to the Pope; First onely for Archbishops, then for all Prelates; And this Oath at first was moderate, to observe the Rules of the holy Fathers, but shortly after more Tyrannous, to maintain the Roialties of *Saint Peter*, as their own Pontificalls the old and the new do witness. First when they tooke away Investitures from the Crown, they were all for free Elections, but shortly after there was nothing to be heard of but *Provisions*, and such *Simoniacall Arts*. It is as easy to shape a

Coat for the Moone, which altereth every day, as to fit one constant Tradition to all these diversified Practises.

Thirdly he supposeth, that all Parents have Iudgement to understand aright what they see, and to penetrate into the secret Caballs and Practises of their times, And Ingenuity void of self Interest, to relate rightly to their posterity: But herein also he will fall much short of his aime. Most Parents know what is acted publickly: but they know little what is done in the retiring Roome. They know who is their Bishop: But who invested him, what Oathes he hath made, they are to seeke. Most Parents see a Bishop sit in his Consistory: But by what authority he sits, whether meerly by the power of the Keys, or partly by Concession of the Sovereign Prince, they know nothing. What doe thy understand of any distinction between Iurisdiction Spirituall and Ecclesiasticall and Politicall? What Legends of Fopperies have been brought into the Church, by this Orall Tradition and the Credulity of Parents? And if all Parents had Iudgement to understand these things: Yet who shall secure us that they are void of Self interest? The Philosopher found that all the people
for

forsooke him, so soone as the market Bell began to ring.

Lastly, he supposeth one constant succession of Truth, upon this *Tenour* or *Methe* throughout many Ages. Why doe we heare words, when we see deeds? We see them change dayly; if they had not changed we had had no need to leave their *Cōpany*. I have shewed him whē and where and by whom, all these changes wherein they and wee differ concerning discipline, did come into the Church of Englād, at least all those which made the Breach between us Immediate Orall Tradition, without any further Corroboration, is but a toy: Perpetuall and Vniversall Tradition is an undeniable Evidence; or so Vniversall for time and place, That the Opposers have been censured in a manner Vniversally for Hereticks or Heterodox. In a chaine, if one link be loose, or have a notorious Crack or Flaw, there is little trust to be reposed in it. Then what Credit is to be given to the pretended Chaine of Tradition, where the eleven first Linkes are altogether divided from the rest, and fastened to the hand of the Sovereign Prince, beyond the Popes reach. The four next Linkes are full of Cracks and Flawes, the Pope pulling at the one end, and the Prince holding at the other. The last Link

Linke of all, in *England* is put again into the
 hand of the Prince. Where so many Centu-
 ries are wanting, he is like but to maintain a
 poor Traditiō. All this while I speake onely
 of the externall Regiment of the Church.

But it is a wonder to me, why he of all
 others should so much magnify this *Mediū*
 of Immediate Traditiō, as an infallible Rule:
 For if I be not misinformed by some Friēds,
 his Fathers chalked out another way to him
 by their Examples and Instructions, to hold
 himself in the Communion of the Church of
England. But let that passe as not much ma-
 teriall. If he reduce his Argument into any
 Form, he will quickly find that it halteth on
 both sides, *Whatso ever we received by immedi-
 ate Tradition from our Fathers, as the Legacy of
 Christ, is infallibly true; But we received those
 points of discipline wherein we differ, by imme-
 diate Tradition from our Fathers, as the Legacies
 of Christ.* I deny both his Propositions, my
 reasons he will find formerly at large.

I charged him for making two distinct
 Rules of Vnity, whereas one would have
 served his Turne; that he might have
 more opportunity to shuffle the later Vsur-
 pations of the Popes, into the ancient disci-
 pline of the Church. For this I am lashed,
 as a man that cannot or will not write common
 sense, with a deale of such poore stuffe not
 worth

worth repeating. Cannot a man abandon his Religion unlesse he abandon his Civility also? He might remember that I had the honour to be a Doctor in the Vniversity I think as soone as he was a Schooleboy in the Country. The first part of my Charge

S. D. is confessed by him self, that *his first Principle*
 pa.308 *doth also include the truth of the second.* If his

second Principle be comprehended in the first, then it is no new distinct Principle but either an inference, or a Tautologie. But let him carve and mince his Principle into shreds if he please, rather then I will draw the Saw of Contention about the dream of a Shadow. To the second part

S. D. of my Charge he answereth, that *Neither*
 pa.484 *I, nor any man else can instance of any Vsurpation*

which did ever come in, either in Secular or Ecclesiasticall Government, pretending the Tenour, or could come in so long as men adhere to that Method. Doth not he pretend that Tenour? Or indeed taketh it for granted, and would make us believe they do adhere to that Method? If they doe not his demonstration doth not weigh a Grain. Yet I have shewed him heaps of usurpations, more perhaps thē he is desirous to see. Some men have made the Pope infallible in point of faith formerly; but he is the first that ever made him incapable of usurping

and I thinke will be the last ; if he can per-
 suade us with reason to be thus mad , he
 deserveth to have his head stroked. Go, Go
Mr. Serjeant, Learn better, there are more
 wayes of erring in point of Tradition, either
 all or supposed , then *the Conspiracy of a S. D.*
World of Fathers, to sell a World of Children pa. 484
as Lye, that ten yeares agoe they practised that
which all the World besides knoweth they did not
practise. Of all men J uglers pretend most
 peripicuous Evidence.
 I was contented to admit both his Rules
 Generall, to try what use he could make
 of them against us : but whether I use sharp
 stile or blandishments , he is still waspish;
Reader the right Protestant Method, which S. D.
bringing the Controversy from a Determinate pa. 485
to Indetermination and Confusion; I feare
 he will rather dislike my being too distinct
 and particular. I have shewed him expressly
 that Branches of Papall power we have al-
 together rejected, and what we are not un-
 willing to acknowledge , for peace sake , if
 that would content him ; which is more
 then he hath done hitherto , as much as he
 will doe , and I feare more then he dare
 doe ; They are not free from their Jealou-
 sies and Dissensions at home among them-
 selves. Hitherto he hath not adventured
 to let us know , into what Church he him-
 self

self resolveth his Faith; whether the Vir-
tuall Church, that is the Pope; or the Repre-
sentative Church, that is a Generall Coun-
cell; or the essentiall Church, that is the
whole multitude of Believers, whose Ap-
probation is their reception. And in the
very Pāragraph, he hath one passage the

S. D. pointeth at the last opinion, making the con-
p. 486. *sent of Catholick Fathers, immediately attesting
that they received this Doctrin from their fa-
thers, to be the infallible voice of the Church.*

S. D. At other times he maketh the extent
Papall power to be a matter of Indifferenc
wherein every Church is free to hold the
own Opinions. In his Rule of Disciplin
he maketh St. Peter onely *to be the Head,
Chiefe, the Prince of the Apostles, the Fir-
mover in the Church;* all which in a right sen-
se we approve, or do not oppose. Wh
doth he not acknowledge him to be a visib
Monarch, an absolute Sovereign, invest
with a plenitude of power, Sovereign, Le-
gislative, Iudiciary, Dispensative? All
rest of the Apostles were First Movers in
Church, even as well as St. Peter (except
onely his Primacy of order which we allow
When your men come to answer this, the
feign the Apostles were all equall in relati
to Christiā people, but not in relatiō to on

another

another. Yes, even in Relation to themselves and one another; as hath been expressly declared long since, in the First Generall Council of Ephesus, not now to be contradicted by them; *Petrus & Ioannes aequalis ad alterutrum dignitatis*, Peter and Iohn Conc. of equall Dignity one towards another. A Ephes. Primacy of Order may consist with an Equality of Dignity: but a Supremacy of power To. I. taketh away all Parity; *Par in parem non habet potestatem*. He is blind who doth not see Edit. in the History of the Acts of the Apostles, Peter. the supremacy or Sovereignty of power, Crab. did not rest in the person of any one single apostle, but in the Apostolicall College.

These indefinite Generalities he stileth Indeterminate points. It may be Determinate for the generall truth: but Indeterminate for the particular manner, about which all the Controversy is. Yet he who never wanteth Demonstrative Arguments to prove what he listeth, will make it evident out of the very word Reformation, which we own and extoll, that we have broken the Rule of Unity in Discipline. If he doe he hath good luck, for by the same reason he may prove that all the Councils of the Christian world, both Generall and Provinciaall, have broken the Bond of Unity, by owning and extolling the very word Reformation, both name and thing.

As

As for the points of our Reformation
 doe not referre him to *Platonickall Ideas*, to
 found in the *(Concave of the Moone)*; but to our
 Lawes and Statutes, made by all the O
 ders of our Kingdome, Church and Com
 monwealth; not as they are wrested by the
 tongues and pens of our Adversaries, (Ma
 lice may be a good informer but a bad
 judge,) but as they are expounded by
 the Genuine and Orthodox Sons of the
 English Church; by our Princes, by our
 Synods, by our subsequent Parliaments
 by our Theologians, by our most Iudicious
 Lawiers; in their Injunctions, in their Act
 in their Canons, in their writings; which he
 may meeete with if he have such a mind
 earnest, without any great search, in every
 Library or Stationers shop,

The
 creed
 is the
 old rule
 of faith.
 Our Ar
 ticles no
 points of
 Faith.
 whofalsi
 fiesh the
 Councel
 of Ephe-
 sus.

Sett I. Cap. XI.

We doe not suffer any man to reject the
 39. Articles of the Church of England
 his pleasure, yet neither doe we looke upon
 them as *Essentials* of saving Faith, or *Leg
 cies of Christ and of his Apostles*; but in a
 pious Opinions fitted for the Pre
 servation of Vnity, neither doe we oblige
 any man to believe them, but onely not to

contradict them. Yet neither is the Bishop
 into a wood, nor leaveth his Reader in another,
 ther from knowing what these Doctrines of
 Faith are, then he was at first. It is Mr.
 Cantants Eyesight that failes him, through
 too much light, which maketh him mista-
 ke his ancient Creed for a wood, and the
 articles for trees (persons who are gogle
 seldom see well,) wherein all things
 necessary to be believed are comprehended.
 and although he inquire, *Where are the pro* S. D.
positions of the Divine Persons, the Sacra- pa. 487.
ments, Baptism of Children, the Government
of the Church, the acknowledging there is such a
Scripture, to be found in the creed?
 The Bishop is so far from being gravelled
 with such doughty Questions, that he pitieth
 his simplicity, and returneth him for answer,
 that if he be not mop-eyed he may find the
 procession of the Divine Persons in his
 Creed; that the Sacraments and Discipline
 of the Church are not to be reckoned amōg
 the *Credenda* or things to be believed, but
 among the *Agenda* or things to be acted;
 and the Holy Scripture is not a particular
 doctrine or point of Faith, but the Rule
 wherein and whereby, all Fundamentall
 doctrines or points of Faith are compre-
 hended and tried. So still his truth remaineth

neth unshaken, that the Creed is a Summary of all particular points of saving faith which are necessary to be believed.

S. D. He proceedeth, that *the Protestants be*
pa.487 introduced into the Church since the Reformation
no particular Form of Government, in stead
that they renounced. A grievous accusation.
 We had no need to introduce new forms
 having preserved the old. They who
 onely weed a Garden, have no need to
 new Plants. We have the Primitive Dis-
 cipline of the Church, and neither want S-
 rituall, nor Ecclesiasticall, nor Politick
 Government. If you have any thing to
 against it, cough out and spare not. And
 although we want such a free and general
 Communion with the Christian World
 we could wish, and such as Bishops
 one with another by their *formed Letters*.
 Yet we have it in our desires; and that
 have it not actually, it is principally your
 faults, who make your Vsurpations to
 Conditions of your Communion.

And so I leave him declaiming against
Libraries of Bookes filled with dead words,
thousands of Volumes scarcely to be examined
in a mans whole life time, and quibbling about
Forefathers, and inheriting, and Reformation
and Manasseh Ben Israel, and repeating

the same things over and over again, as if
no man did understand him who did not
hear him say over the same things an hun-
dred times.

He Chargeth me that having granted
that *They and we do both maintain his Rule of* p. 490.

any, yet I do immediately disgrace it by adding;
the Question is only who have changed that
Prin or this Discipline, we or they? We by

Subtraction or they by Addition? Which is as
much as to say the pretended Rule is no Rule at

When he and his Merry Stationer
were set upon the Pin of making Con-

tradictions, doubtlesse this was dubbed
famous Contradiction or an absurdity

at least. As if a man might not hold
one thing in his Iudgement, and pur-

sue another in his Practice, professe
one thing in words, and perform

another in deeds, *Video meliora proboque,*
periora sequor; Medea see that which was

thought and approved it, but swerved altoge-
ther from it in her Practice, *They professe* Tit. I. 18

(with St. Paul) *that they know God, but in wor-*
ds they deny him. The Church of Rome pro-

fesseth in words, to adde nothing to the Le-
ssons of Christ and his Apostles: but in their

deeds they doe adde and adde notoriously;
the Universality of the Roman Church,

N

the

the doctrines of Purgatory, of Indulgence of Worshipping of Images, and the rest of their new Essentialls of faith, *Extra nemo saluus esse potest* (saith Pope Pius,) *Without the belief of which no man can be saved*. Then no man was saved for a thousand yeares after Christ. If there be the least Part of a Contradiction here, it is not in my course, but between their own Principles and their Practice. He taunteth me too much for making the Apostles Creed a summary of all things necessary to be believed by all Christians, calling it *the whole Topick that ever came from a ratiōall head*. I would gladly perswade us that it was only an Act of Prudence, to keep out heretigious persons in that present age, who was to be enlarged as often as new Heresies did arise. I pittie the young man, who is no better acquainted with that Value, who hath both the ancient Fathers and his own Doctors set upon the Creed. Whilest he

Tert. de keth to confute me, he is ignorantly condemning all them. He condemneth the Fathers *virgin.*
cap. 1. who made it to be *the one onely immut-*

Clem. ble and irreformable Rule of Faith:

Rom. summe of the whole Catholick Faith: The
Ep. 1. of the Christian Faith: The Rule or Standard
ad frat. of the Apostolicall (Sermons after the Com-
Dom. position of it.) Wherein the Apo-

of the Lord have collected into one bre. *Ambr.*
siary, all the points of the Catholick Faith *Serm.*
 which are diffused throughout the Scriptures. He 38.
 condemneth his own Authors, who ac. *Aust.*
 knowledge it to be a short comprehension or *Serm.*
 summary of all things to be believed. *Bellar-* 18.
 mine faith it containeth the summe of the Gospels; *de Temp.*
 And more plainly, there is extant that most an- *Canis.*
 cian Symbol which is called the Creed of the *Catech.*
 Apostles, because the Apostles composed it to this *Bellar.*
 end, that it might be agreed among all men what *de Inst.*
 was the summe of the whole Christian Faith. l. 4. cap
 Whereof he produceth Witnesses, *St. Am-* 2.
rose, *St. Hierom*, *St. Austin*, *Maximus*; *De*
 Adding that in the Creed (although briefly) is *Inst. l.*
 contained in a Summary the whole object of 1. cap.
 Faith. According to that of *St. Austin*, 9.
 The Creed is a simple, short, full Comprehension *Aust.*, in
 four Faith: that the simplicity may provide for *bid.*
 the Rudenesse of the Hearers; the shortnesse for *Aust.*
 their memory; and the fulnesse for their Doc- *de Sacr.*
 trine. And elsewhere he telleth us, that all *Euch.*
 Catholicks doe confesse, that it is the unwritten *lib. 3.*
 word of God. So there is more in the Creed *cap. 6.*
 then a meer Shibboleth, to distinguish an *Conc.*
 Ephraimite from a Gileadite. It is funda- *Trident.*
 mentum firmum & unicum, not onely a firm *Ses. 3.*
 but an onely Foundation. He asketh me
 whether ever Protestant did hold, there is nothing
 of Faith but the 12 Articles in that Creed?

I doe not know how I come to be oblig'd to answer him to so many impertinent Questions: but for once I will not refuse him. Protestants doe know as well as himself, that there are many things of faith which are necessary to be believed by some men at some times; as that St. Paul had his Cloak; but there is no Article or Point absolutely necessary to Salvation to be believed, which is not comprehended within the 12 Articles of the Creed. And here, he serveth us up again his twice sodd'n Colerworts, that *the Procession of the Holy Ghost, the Baptism of Infants, the Sacrament of the Scriptures, are not comprehended in the 12. Articles.* I have but newly answered the very same Objection, and here Meander-like with a suddain turning he brings it in again: but I will not wrong the Reader so much, as to follow him in his Battologies. Onely if he think the Creed was imperfect, untill the word *Filioque* was added, he is much mistaken.

But saith he, by the same Logick we may accuse the Church, at the time of the Nicean Concell, for pressing the word *Consubstantial*. Pardon us good Sr, there is no Analogy between the Consubstantiality of the Son with the Father, and your upstart Doctrin

Indulgences and Image Worship. In-
 deed the word Consubstantiall, was not in
 the Creed before the *Nicene Councell*, but
 the thing was, and was deduced from the
 Creed. When the Apostles delivered the
 Creed to the Church, they did it by Orall
 Tradition: and this is that famous Tradi-
 tion much mentioned in the Fathers, which
 you doe altogether misapply to the justify-
 ing of your new patches. And when they deli-
 vered the Creed, they delivered likewise the
 sense of the Creed, by the same Tradition:
 and it was the most proper worke in the
 world, for those first Oecumenicall Coun-
 cels, to search out and Determin by Tra-
 dition, the right sense of the Articles where
 they were delivered by the Apostles. But
 we now after fifteen or sixteen hundred
 yeares to inquire, not onely into new sen-
 ses of the old Articles, altogether unknown
 to the Ancients: but to find out new Arti-
 cles, which have no relation to the old Ar-
 ticles, and all this by Tradition, is ridicu-
 lous. For whatsoever Tradition we have,
 we have from former Ages successively:
 and therefore if they had no Tradition for
 such an Article, or such a sense; wee can
 have none,

But

But such are all the twelve new Articles added to the Creed by *Pius* the fourth; not only new senses of old Articles, which had been too much, but new Articles newly coined, which have no relation to the old Articles at all. Somethings are *de Symbolo* contained in the Creed; somethings are *contra Symbolum*, against the Creed; and somethings *præter Symbolum*, besides the Creed. First, for those things which are contained in the Creed, either in the Letter or in the sense, or may be deduced by good consequence from the Creed; as the Deity of Christ, his two Natures, the procession of the Holy Ghost: the Addition of these is properly no addition, but only an Explication; Yet such an Explication, none under a Generall Councell can impose upon the Church. Secondly, such things as are contrary to the Creed, are not only unlawfull to be added to the Creed, but they are Hereticall in themselves. Thirdly, for those things which are neither of the Creed, nor contained in the Creed, either explicitly, nor can be deduced by good Consequence from the Creed, and yet they are not contrary to the Creed, but Opinions or inferiour truths, which may be believed or disbelieved, without any

great

great danger of Hereſy (of this nature are
 thoſe 12. points or Articles which *Pius* the
 fourth added to the Creed ; To make theſe
 part of the Creed , and to oblige all Chri-
 ſtians to believe them under pain of Dam-
 nation, as *Pius* the 4th doth, *without which*
there is no Salvation ; is to change the Sym-
 bollicall Apoltolicall Faith, and to adde to
 the *Legacy of Chriſt and his Apoſtles*. Faith
 both conſiſt in *indivifiſibili*, and the Eſſentiall
 parts of it, cannot be contracted or inlar-
 ged.

This is that which we Charge the Ro-
 maniſts withall, and which I ſee not how
 they will be able to ſhake of. Not the Ex-
 plication of the old Articles of Faith, nor
 the preſcribing of inferiour truths as infe-
 rior truths to thoſe who are under their
 Jurisdiction, nor the obliging of their Sub-
 jects not to oppoſe their Determinations
 for peace and tranquillities ſake; but the ad-
 ding of new Articles or Eſſentialls to the
 Creed, with the ſame Obligation that the
 old Apoltolicall Articles had, to be believed
 under pain of Damnation. Either all theſe
 12. new Articles which were added to
 the Creed by *Pius* the Fourth, were impli-
 citly or virtually comprehended in the 12
 old Articles of the Apoſtles, and may be de-

duced from them by necessary Consequence, (the contrary where of is evident to all men) : or it is apparent that Pius the 4. hath corrupted the Creed , and changed the Apostolical Faith.

He might even as well let our 39. Articles alone for old acquaintance sake, (*Dis-suenda non diffecanda est amicitia*) as to bring them upon the Stage , and have nothing to say against them. Some of them are the very same that are contained in the Creed some others of them are practicall truths which come not within the proper list of points or Articles to be believed : lastly some of them are pious opinions or inferior truths , which are proposed by the Church of England to all her Sonnes, and not to be opposed ; not as Essentials of Faith necessary to be believed by all Christians *Necessitate mediis*, under pain of damnation. If he could charge us with this as we do them , he said something. The *Nicene, Constantinopolitan, Ephesian, Chalcedonian, and Albanasian* Creeds, are but Explications of the Creed of the Apostles , and are still called the Apostles Creed. He will not for shame say that *Pius* the fourths Creed, is onely an Ex-

plication of the Apostles Creed, which hath
12. new distinct Articles, added at the
Foot of the 12. old Articles of the Apo-
stles.

I doe not say that *there can be no new He-
resy, but what is against some point found in the
Creed.* I know, that as there are some Er-
rours heretical in their own nature, so there
are other Errours which become here-
ticall, meerly by the Obstinacy of them
who hold them. Yet if I had said so, I had
said no more then some Fathers say, and
sundry of their own Authors; *Neq; ulla
unquam exiit heresis quæ non hoc Symbolo dam-
nari poterit.* There was never any Heresy which
might not be condemned by this Creed. And so
he may see clearly if he will, that it was no
incomparable straine of weaknesse, nor self con-
tradicting absurdity, nor nonsense, (as
he is pleased to Vapour) to charge them
with changing the Legacy of Christ and
his Apostles, by the Addition of new Essen-
tials of Faith.

*Catech.
Trever.*

I will conclude this point with the excellent
Iudgement of *Vincentius Lirinensis*; Perad-
venture some man will say shall there be no
growth of the Religion of Christ in the Church?
Yes, very much; but so that it be a
growth

growth of Faith not a change. Let it increase, but onely in the same kind, the same Articles, the same sense, the same Sentences. Let the Religion of soules imitate the manner of bodies &c. The members of infants are little, young mens great, yet they are the same. Children have as many joints as men &c. But if any thing be added to, or taken from the number of the members, the body must of necessity perish, or become monstrous, or be enfeebled: so it is meet that Christian Religion doe follow these Lawes of Proficiency &c.

pag.
495.

But now he brings a rapping Accusation against me, charging me with four falsifications in one sentence: and then concludes triumphantly, *Goe thy wayes brave Bishop, If the next Synod of Protestants, doe not Canonise thee for an Interpreter of Councells, they are false to their best interests. Who so bold as blind Bayard? Here is a great deale more Cry then Wooll. But let us examine these great falsifications, my words were these. The Question is onely who have changed that doctrin or this Disciplin, we or they? we by Substraction, or they by Addition? The Case is cleare, The Apostles contracted this Doctrin into a Summary, that is the Creed, the Primitive Fathers expounded it where it did stand in need of clearer Explication. Then follow the words which he excepteth against,*

The

The Generall Councell of Ephesus did forbid all
 men to exact any more of a Christian at his Bap-
 tismall Profession. It is strange indeed to
 find four falsifications in two short lines &
 to find four falsifications where there is
 not one sillable cited, is altogether impos-
 sible. I relate as of my self what the Co-
 uncill of Ephesus did; I cite no Authority
 at all, neither in the Text nor in the Mar-
 gent; nor put one word into a different
 Character. His pen is so accustomed to
 overreach beyond all aime, that he cannot
 help it; A Scotch man would take the
 Liberty to tell him that he is very good
 Company.

The truth is, I did forbear to cite it, be-
 cause I had cited it formerly in my answer
 to Monsieur Militier, where he might have
 found it if he had pleased; *That it should Conc.*
be lawfull for no man to publish or compose, a- Eph.pa.
number Faith (or Creed) then that which was de- 2. Act.
creed by the Nicene Councell, And that who so 6.c.7.
ever should dare to compose, or offer any such
any persons willing to be converted from Pa-
ganisme, Iudaisme, or Heresy, if they should
the Bishops or Clerkes should be deposed, if
Laymen Anathematized. If he can find any
 falsification in this, let him not spare it:
 to find four falsifications, where not
 one

one word was cired, was impossible. In word, to deale plainly with him, his pretended Falsifications are a silly senseless ridiculous Cavill.

To cleare this, it is necessary to consider that this word Faith in holy Scriptures, Councells and Fathers, is taken ordinarily for the Object of Faith, or for the summe of things to be believed, that is, the Creed and so it is taken in this very place of the Councell of *Ephesus*, and cannot be taken otherwise; for it is undeniable, that the Faith which was defined, published, and composed by the *Nicene* Fathers, was the *Nicene* Creed, or the Creed of the Apostles explicated by the *Nicene* Fathers. Secondly, we must consider that the Catholic Church of Christ, from the very Infancy of Christian Religion, did never admit any person to Baptisme in an ordinary way, but it required of them a free profession of the Creed or Symbolicall Faith either by themselves, or by their sureties if they were Infants: and so did baptise them in that Faith. This was the practise of the Apostolicall Church; this was that

1. Timo good profession which *Timothy* made before
6, 12. many witnesses; This was the universall
 practise in the Primitive Church, and continued

loved ever since untill this day. *Abrenun-*
das? Abrenuncio. Credis? Credo. Dost thou
 renounce the Devill and all his workes? I do re-
 nounce them. Dost thou believe in God the Fa-
 ther Almighty &c.? All this Istedfastly be-
 lieve. Wilt thou be baptised in this Faith? It
 is my desire. This baptistickall profession,
 which he ignorantly laugheth at, is attested
 by Fathers, by Councells, by Leiturgies,
 ancient and modern; even by the Leitur-
 gies of the Roman Church it self. And
 this is the undoubted sense of this place of
 the Councell of Ephesus, that no man should
 dare to offer any other Creed, to any person,
 willing to be converted from Paganisme or Ju-
 daisme to Christianity, that is to say to be
 baptised. Alwaies upon Palm-sunday,
 such of the *Catechumens*, as were thought
 fit to be admitted into the number of the
 Faithfull, did petition for Baptism (the An-
 niversary time where of did then approach
 who from their joint petitioning were
 called *competentes*, and from that day for-
 ward, had some assigned to expound the
 Creed unto them, whereof they were to
 make solemn profession at their Baptism; as
 we find by the Homilies of the Fathers
 upon the Creed, made to the *Compe-*
temes,

So

So we keep ourselves to the old faith
 the whole Christian World, that is
 Creed of the Apostles, explicated by
Nicene, Constantinopolitan, Ephesine, and Chalcedonian Fathers; the same which was pro-
 fessed by them of old at their Baptism
 and is still professed by us at our Baptism
 the same wherein all the Christian World
 and themselves among the rest were Bap-
 tised. None of us all ever made any pro-
 fession at our Baptismes, of the Univer-
 sality of the Roman Church, or of the
 Sovereign Monarchicall power of the Ro-
 man Bishop by divine right, or of the
 Doctrin of *Transubstantiation*, Indulgence
 Imageworship, or the like. Wherefore we
 are resolved to adhere to that faith which
 hath been professed alwaies, everywhere
 and by all Persons, and particularly borne
 by them and us at our Baptisms; in which
 faith and which alone, we were made
 Christians, without either diminution or
 Addition of any new Essentials. This was
 their faith formerly, and this is ours still.
 But he objecteth it is a great Absurdity
pa. 495 that thus the Creed defined by the Fathers in the
 Councell of Nice, and the Apostles Creed
 according to the Bishop are one and the same
 Creed. Have you found out that? Yes, in-
 deed

deed are they, and alwayes have been so
reputed in the Church, even in the Roman
Church it self in their ancient Leiturgies,
which call the Nicene Creed the *Evange-
licall Creed, the Creed of the Apostles, inspired
by the Lord, instructed by the Apostles*; and
when he groweth older, he will be of the
same mind.

I hope by this time he seeth, that although
I did not cite the Councell of *Ephesus* in
this place, and therefore could be no falsi-
fier of it: Yet the Councell of *Ephesus* saith
more then I did in every respect. I said
onely the Councell did forbid: but the Coun-
cell it self goeth higher, that *whosoever
should dare*. I said *forbid to exact*: but the
Councell itself goeth higher, *whosoever
should dare to compose, or publish, or offer*.
The Originall word is *Prospherein*, to
offer, and as it is translated into Latin,
*Qui verò ausi fuerint aut componere fidem al-
teram, aut proferre, aut offerre*. *Whosoever shall
dare to compose, or to utter, or to offer another
faith or Creed*. One may compose or pub-
lish and not offer; one may offer and not
exact: but whosoever doth exact doth more
then offer. If the Councell doth forbid
any man to compose or publish, or offer
any other Creed, much more doth it forbid
them

them to exact it. Thirdly I said *to exact any more* then the Apostles Creed, as it was explicated by the Fathers, that is, concerning Essentialls of faith: but the Councell goeth higher, to compose or publish or offer *alteram fidem*, another Creed, containing either more or lesse, either new Essentialls or new Explications. I said onely *at our Baptismall profession*: but the Councell extendeth it further, to the reconciliation of Hereticks, as well as the Baptism of Pagans and Jewes; and generally to all occasions, not allowing any man Clergy or Lay, to compose or publish any other Creed or form of profession. So every way the Councell saith more then I said.

But he saith, there is nothing in the Councell of *Baptismall profession*, except the bare word *fidem*. Well, *fides* in that place signifieth the Creed, and that Creed which all Christians did professe at their Baptisme, is their Baptismall Profession. But that is not all, for as *fides* signifies their Creed or Profession of faith: so those other words *to any Persons willing to be converted from Paganisme or Iudaisme*, signifieth as much as *who desire to be Christened or to be Baptised*. But he saith, these words *if the professors of another faith be Lay men, let them be ex-*

communicated, do make it impossible to have relation to Baptism, because the Ordinary Minister of Baptisme is a Clergy man. If a Sophister should have brought such an Argument in the Schooles, he would have been hissed out for his labour. Because one part of the Canon hath reference to Lay men, therefore no part of it can have reference to Clergy men. Just like this, an Ethiopians teeth are white, therefore it is impossible that any part of him should be black. Whereas the Canon saith exprelly the Contrary, if they be Bishops or Clerkes let them be deposed, if Laymē Anathematized.

But this great Censurer himself doth justify the Councell of *Ephesus* indeed, twice in this one place. Once in omitting the word *Prosperein*, to offer. Secondly where he saith, that *Charisius* had made a wicked Creed. It was not a wicked Creed, but a wicked exposition of the Creed which the Councell condemned, *Depravata Symboli expositio*; Which was indeed produced by *Charisius*, but neither made by him, nor approved by him, but condemned by him as well as by the Councell. Observe Reader, with what grosse Carelesnesse these great censurers doe read Authors, and utter their malicious Fancies with as great Confidence. He would have called this Forgery in ano-

Sect. I. Cap. XII.

He saith I charged their whole Church
*with changing the ancient discipline of the Church
 into a Sovereignty of power above General
 Councells, whereas I confesse that it is not the
 Univerſall Tenet, and will acknowledge that
 they who give ſuch Exorbitant Privileges to
 Popes, do it with ſo many Cautions, that they ſig-
 nify nothing; And then curteouſly aſkes me
 whether this be a matter deſerving that Church*
I charge Vnity ſhould be broken for it? I doe eaſily
not the believe that this is one of his merry Station
Church ners Contradictions. What pittifull Cavill
but the doth he bring for juſt exceptions? Firſt
Pope and doe not clap it upon their whole Church (that
his party is one injury, or if I ſhould ſpeake in his
 language a groſſe Falsification) but upon the
 guilty party. Secondly, I never ſaid that
 they who change the ancient Government of
 the Church, into a Sovereignty of power, do
 with ſo many Cautions: but I ſpoke expreſſly
 of them, who aſcribe infallibility and
 temporall power over Princes to the Pope.
 This is another injury or falſification.
 Thirdly, how often muſt I tell him, that we
 did not diſunite our ſelves from their
 Church: but onely reinfranchiſe ourſelves

from

from their Vſurpations? Laſtly, this party which advanceth the Papacy, above the Repreſentative Church, is no worſe then their Virtuall Church, the Pope and the Court of *Rome* with all their adherents, they who have the Keys in their hauds: ſuch a party as he dare not ſay his ſoule is his own againſt them, nor maintain the Contrary; that a Generall Councell is above the Pope.

He urgeth, that I aſcribe no more to *S. Peter and the Pope for their firſt Movership*, *pag. 496.*
but onely Authority to ſit firſt in Councell or ſome ſuch things. I aſcribe unto the Pope, all that *First mover.*
 power which is due unto him either by divine right or humane right, at the ludge-*ſhip.*
 ment of the Church, but I doe not hold it meet, that he ſhould be his own Carver. And for *S. Peter*, why doth he not leave this wording of it in Generalls and fall to work with Arguments in particular, if he have any? We offer him a faire tryall for it, that *S. Peter* never enjoyed or exerciſed any greater or higher power in the church, then every one of the Apoſtles had, either extenſively or intenſively, either in relation to the Chriſtian world or the Apoſtolicall College, except onely that *Primor-*
diū Vniatis or Primacy of Order, which

he scoffeth at every where : Yet neither do we make his first Movership, void of all *Activity and influence*, as he accuseth us. First we know he had Apostolicall power, which was the highest spirituall power upon Earth, *As my Father sent me so send I you*. Secondly, some power doth belong to a First Mover even by the Law of nature, besides *the First seate*; As to convocate the Members, to preserve Order, to propose such things as are to be discussed, to receive the Votes, to give the Sentence, and to see it executed so far as he is trusted by the Body. What the Church of England believeth, of the Popes inheriting St. Peters Privileges, and the exercise of that power before the Reformation, and how the breach was made, and when, I have shewed abundantly already.

Wee have seen his rare skill, in the discovery of a Falsification or a Contradiction now let us see if his sent be as good to find out an Absurdity. He maketh me argue thus, *The Pope did not exercise St. Peters power, because he exercised St. Peters power and much more, which is as much as to say, totum est minus parte; and more does not contain lesse*: and then he Crowes out his Victory aloud; a hopefull Disputant, who chuseih rather

to run upon such Rocks &c. What Rocks doth he mean? I hope none of the *Acrocerania*. those ridiculous things which he calls Rocks, are soapy bubbles of his own Blowing. This inference is none of mine, but his own. Is it not possible for this great pretender to sincerity, to misse one Paragraph without Falsifications? Give him leave to make Inferences and Periphrases [*which is as much as to say*] and Africa did never abound so much with Monsters, as he will make the most rationall writing in this world abound with Absurdities. I desire the Courteous Reader to view the place, and either to pity his Ignorance, or detest his Impudence. The words which I answered were these, That the Bishops of Rome actually exercised St. Peters power in all those Countries, which kept Communion with the Church of Rome, that very yeare when this unhappy Seperation began. My answer was, that this Assertion did come far short of the truth in one respect, for the Popes exercised much more Power in those Countries which gave them leave, then ever St Peter pretended to. Here is no other inference but this, The Pope exercised more power then ever St. Peter pretended to, therefore this Assertion that he exercised St. Peters power came short of the truth;

which consequence is so evident that it can admit neither denyall or doubting. What hath this to do with his *whole is lesse then the part, or more does not contain the lesse?*

Hal f more then the whole. But now suppose I had said, as he maketh me to say on his own head, that in this case *the whole is lesse then the part, or more does not contain the lesse,* what had he to carp at? Hath he never heard or read, that in morality the half is more then the whole? Hath he forgotten his Ethicks, that he who swerveth from the Meane or strict measure of virtue, whether it be in the excessse or in the defect, is alike Culpable, and commeth short of his Duty? If the Pope as Successour to *S. Peter*, did usurp more power then *S. Peter* had right to; no man in his right wits, can call it the actual exercising of *S. Peters* power.

Papall usurpations not univ-ersall.

The second part of my answer was, that as the Pope exercised more power then was due to him, in some places, where he could get leave; so in other places, no lesse then three parts of foure of the Christian World, that is all the Eastern, Southern, and Northern Churches, his Univ-ersall Monarchy which he claimed, was Univ-ersally rejected. For this I am first reviled.

Are

Are moderate expressions of shamelesnesse sufficient to Character this man? &c. If better was within better would come out. But *Stultis insanus iste est in lingua suus, ut discant melioribus.* And then when he hath first censured me, he attempteth to answer me, as well as he is able, that *the Pope exercised his power over them, by excommunicating them* Revolters. As Revolters? In good times; they were Christians and had Governours of their own, before either there was a Church of Rome, or Bishop of Rome, and never acknowledged themselves to be his subjects untill this day, nor regarded his excommunications upon that score at all. If they were Revolters, the Apostolicall Age and all succeeding Ages were joined in the Revolt. These are his *rigorous demonstrations*, to prove the Popes single Jurisdiction by divine right, from his own impotent Actions. If the Pope have a Supremacy of Power by divine right, he hath it over the world, but that we see evidently he never enjoyed from the beginning: if he did not enjoy it universally from the beginning, then certainly it cannot be an Apostolicall Tradition.

I doe begin with the Eastern Church, because their case is plainest, as having
Pro-

Proto-patriarchs of their own, and Apostolicall Churches of their own: but when that is once acknowledged, I shall be contented to *joine issue* with him in the West. First for our Britannick Churches, and next even for the Church of *Rome* it self, that the Popes Univerfall Monarchy, and plenitude of Sovereign power by divine right, was neither delivered from Parents to Children by perpetuall Tradition, as Legacy of Christ and his Apostles, nor received by the Sonnes of that Individuall Church as a matter of Faith; but onely Primacy of Order or beginning of Vnity, which we do not oppose, nor yet those accessions of humane power, which Christian Emperours and Oecumenicall Councells have conferred upon that See, provided they be not exacted as a divine right.

His *First Movership* and his *First Government*, are but generall insignificant Termes, which may agree as well to a beginning of Vnity or Primacy of Order, as to an absolute Monarchy or plenitude of power. If he will say any thing to purpose he must say it particularly, particulars began the breach particulars must stop the breach. I have given him an account, what particular Differences we have

with him concerning *St. Peter*, what particular Differences we have with him concerning the Pope, let him apply him self to those, and not make continuall Excursions (as he doth) out of the Lists.

When I acknowledged an Authority due to the Roman Bishop in the Church, as a Bishop in his Diocesse, as a Metropolitan in his Province, as the Bishop of an Apostolical See and Successour of *St. Peter*, I expected thakes; there are many that will not yield him one inch of all these steps without a new conflict. But behold the evill nature or evill manners of this Age, I am accused for this of *frivolousnesse and insincerity*. Yet I will make bold to tell this *Apprentice in Theology*, that whensoever the case cometh to be solidly discussed, it will be found that the principall grounds (if I had said the onely grounds I had not said much amisse) of the Popes pretended Monarchy, are the just rights and Privileges of his Patriarchateship, his Protopatriarchateship, and his Apostolicall Chaire, mistaken for Royalties, for want of good Distinction. I know the Court of *Rome*, who have been accustomed in these latter times, to milke the purses of their Clients, doe not love such a *dry Primacy* (as he phra-

What respects due to the Pope.

pag. 498.

phraseth it) : but where they have no more right, and other Churches have a care to preserve their own Privileges, they must have patience perforce.

pa. 302.
*Extent
of Papall
power.*

His Parallel between the King of England and the Pope, will be then to some purpose, when he hath first proved that the Pope hath a Monarchy : untill then it is a mere begging of the Question ; what a grosse Solecisme that is in Logick, he cannot chuse but know. But since he is favourably pleased to dispense with all men for the extent of Papall power, so they believe the Substance of it, and yet he himself either cannot, or dare not determine what the Substance of Papall power is ; he might out of his Charity have compassion, and not stile us Mountebankes, who know no difference, between Roman Catholiks and our selves about the Papacy, but onely about the extent of Papall power. Although he stile us hereticks now, yet he was lately one of us himself ; and would have continued so longer, if he had understood himself better, or the times bene less Clowdy. Let him call it *Substance*, let him call it *extent*, let him call it what he will, I have given him our Exceptions to their Papacy, let him satisfy them as well as he can,

and let truth prevaile : We have not
 pronounced the substance of the Papacy, ex-
 cept the substance the Papacy doe consist
 in Coactive power. I side with no parties,
 but honour the Church of England, and
 welcome truth wheresoever I meet it,

Tros Tyrinusve mihi nullo discrimine habetur.
 He telleth his Reader, that I grant the whole
 question, where I affirm that the Bishop of
 Rome had Authority all over, as the Bishop of
 an Apostolicall Church, or Successor of St.
 Peter. Much good may it doe him. As if
 every Bishop of an Apostolicall Church,
 were straight way an universall Monarch;
 as if Authority did alwaies necessarily
 imply jurisdiction, or every Arbitrator or
 depository were a legall judge. I had reason
 to place a Bishop of an Apostolicall Church, in
 the Climax, after a Patriarch, for the larger
 intension of his Authority every where, not
 for the higher intension of his jurisdiction
 any where.

I urged that if the Bishop of Rome did
 succeed St. Peter, by the ordinance of Christ,
 that this Privilege to be the Prince and So-
 veraign of the Church, endowed with a
 single Sovereignty of power, that the Great
 Council of Chalcedon was much to be blamed,
 to give equall Privileges to the Patriarch of
 Con-

Constantinople with the Patriarch of Rome
 and to esteem the Imperiall City more then
 Ordination of Christ. To the second part
 this Argument, that the great Councell
 Chalcedon, did ground the Advancement
 both of Rome and Constantinople, upon the
 Imperiall Dignity of those two Cities, as
 to much more which is urged there against
 him, he is as mute as a Fish: but to the for-
 mer part he answereth, that for any thing
 known to the contrary Rome might remain su-
 perior in Jurisdiction, though they had equall Pri-
 vileges. Very pretty indeed. He would have
 his Readers to believe, that a Sovereign and
 his Subjects have equall Privileges. Equall
 have no power one over another; there
 may be a Primacy of Order among Equall
 but Supremacy of power taketh away
 Equality. Doth not he himself make it
 be S. Peters Privilege to be Prince of the Apo-
 stles? And doth not he tell us that this Pri-
 vilege descended from S. Peter upon the
 Bishop of Rome? Then if the Bishop of
 Constantinople, have equall Privileges with
 the Bishop of Rome, he is equall to him in
 this Privilege which descended from S. Peter.

Rome
 and Con-
 stantino-
 ple
 equall.

Let him listen to the eight and twen-
 tieth Canon of that Councell, where having
 repeated and confirmed, the decree of the

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erall Councell of Constantinople to the Conc.
 e purpose, they conclude thus, for the Chalc.
 icene) Fathers did justly give Privileges to cap, 28.
 See of old Rome, because it was the Impe-
 riall City. And the hundred and fifty Godly
 bops (in the Councell of Constantino-
 moved with the same consideration, did
 e equall Privileges to the See of new Rome;
 ighly judging, that that City which was the
 e of the Empire and the Senate, should enjoy
 all Privileges with the ancient Imperiall City
 Rome, and be extolled and magnified in
 ecclesiasticall affaires as well as it, being the
 and in Order from it. And in the last sen-
 ce of the Iudges, upon the Review of
 the Cause, The Archbishop of the Impe-
 riall City of Constantinople or new Rome,
 ost enjoy the same Privileges of honour, and
 ve the same power out of his own Authority, to
 claim Metropolitās in the Asiatick, Pontick, and
 rracian Diocēsses. That is as much in Law
 to say, have equall Iurisdiction; for all
 her rights doe follow the right of Ordi-
 nation.

But he knoweth right well that this
 ill not serve his turn, his last refuge is
 deny the Authority of the Canon; tel-
 us that it was no free Act, but
 ed tumultuously, after most of the Fathers
 were

were departed. And miscalling it a *Bast*
issue pinned to the end of the Councell. Which
 is altogether as false as any thing can
 imagined to be. It was done before
 Bishops had their License to depart ;
 had a second hearing, and was debated
 the Popes own Legates on his behalf, be-
 fore the most glorious judges, and man-
 ly sentenced by them , in the name of the
 Councell. This was one of those four
 Councells , which *St. Gregory* honour-
 next to the four Gospels. This is one
 those Councells , which every succeeding
 Pope , doth sweare solemnly to observe
the least tittle. I hope the Pope hath a better
 Opinion of it then he, at least for his Oath
 sake.

Schism. Good Reader observe, what Clusters
disarm. of Forgeries , this great Censurer hath
pa. 112. packed together , in the compasse of a few
 Lines. I need to cite no other Authorities
 to convince him , but the very Acts of the
 Councell. Remember whilest thou live
 to distrust such Authors. First he saith
This was no free Act , most falsely : the Bishops
 all owned it as their free Act by their
 Subscriptions , and by their Testimonies
 before the Judges. Secondly he saith,
Clergy of Constantinople extorted it ,

unanimous importunity, most falsly: for it
 had been once decreed before in the free
 generall Councell of *Constantinople*; and
 when the Clergy of *Constantinople*, did in-
 vited the Popes Legates to be present at the
 debate of it, but they refused; and when
 the said Legates alleged in Councell that
 the Fathers were forced, they all una-
 nimously testified against thē, *Nemo coactus*
 Thirdly he saith, it was voted after most
 the Fathers were departed, and onely those of
 the party of *Constantinople* left, most falsly:
 the Fathers were forbidden to depart,
 and three of the Proto-patriarchs with
 their subordinate Bishops determined it,
 and subscribed the first day. Fourthly he
 saith, it was disavowed by the Patriarch of *An-*
tioc and those under him, most falsly: for
 the Patriarch of *Antioch* and those under
 him did ratify it, and subscribe it in Councell.
 Fifthly he saith, No Patriarch of *Alexandria*
 was there; Good reason: For there was none
 being, the See being vacant, by the tur-
 ning out of *Dioscorus*. Though this be
 so false as the rest, yet it is as deceitfull
 as the worst of them. Sixthly he saith, the
Alexandrian Metropolitans and Bishops refused
 to subscribe it. They did not refuse to
 subscribe it, but they requested the Coun-
 cell

cell , that because it was their Custom to subscribe nothing , untill first it was subscribed by their Patriarch , that Subscription might be deferred , untill they had a new Patriarch chosen; and that themselves were contented to stay in Chcedon , untill this was effected. Now I freely Reader , whether this man do not deserve a whetstone .

That which followeth concerning Immediate Tradit on . is but one of his Ordinary Meanders , or an improper Repetition of an heap of vntruths and uncertainties , blundred together to no purpose without any prooffe. That the Tradition of Churches of the Roman Communion is necessarily an Vniuersall Tradition ; That onely the Churches of the Roman Communion do adhere to the rule of Tradition , and all other Churches have renounced it ; That all those who differ from the Church of Rome did never pretend Immediate Tradition , for those points wherein they differ from it : are so many grosse untruths . That the very same which is delivered by some Christian Parents to their Children , is delivered by all Christian Parents after the same manner . That whatsoever is delivered by Christian Parents of this Age , is necessarily derived from the Apostles by an uninterrupted Succession ; And

that externall Vnity doth necessarily imply an Identity of Tradition: Are contingent uncertainties, which may be true or may be false. His reason, that it is impossible for the beginners of a Novelty, to pretend that their immediate Fathers had taught them, that which the whole World sees they did not; is absurd and impertinent, and may serve equally to both parties.

First it is absurd and Contrary to the Sense of the whole World. Wee see dayly by experience, that there are Innovations in Doctrine and Discipline, and both parties pretend to ancient and immediate Tradition; he might as well tell us.

Nil intra est oleum, nil extra est in Nuce duri.

The Arrians pretended to immediate Tradition as well as the Orthodox Christians. Secondly it is impertinent; Changes in Religion are neither so suddain nor so visible as he imagineth, but are often made by degrees, in tract of Time, at leisure, insensibly, undiscernibly. An Errour comes first to be a Common Opinion, then a pious Doctrin, lastly a point of faith: but seldom do Errours appeare at first in their own shape.

Fallit enim vitium specie virtutis & umbrâ.

A beginning of Vnity in time may grow to be a Sovereignty of power. Investitures were taken away from Kings for feare of Simony : and this feare of Simony before the wheele had done running, produced the most sublimated Art of Simony that ever was devised. Who would or could have suspected, that those huge Cryes for free Liberty of Election, should have ended in Papall Provisions; or the Exemption of Clergymen from their Allegiance to their native Prince, have been an Introduction to a new Oath of Allegiance to a Forrain Prelate? The subjection of the Emperours to the Popes, began with Pictures, proceeded to Poetry, and ended in down right Maxims of Theology. There hath alway been a Mystery of Iniquity, as well as a Mystery of Piety; the Tares were sown whilest men slept, and were not presently discerned. It is not I, who have changed faith into opinion : My faith is the very same that alwaies was professed throughout the Christian World, by every Christian at his Baptisme, and comprehended in the ancient creed of the Church. But it is they who have changed Opinion into faith, when *Pius* the fourth merited 12. new Opinions, among the ancient

cient articles of the creed. Let them be probable, or pious, or erroneous, or what you will; I am sure they are but Opinions, and consequently no Articles of faith.

I said such *Opinions of an inferiour Nature*, *Opinions* are not so necessary to be known. He asketh, *not necessary* Whether they be necessary or no? If they be not necessary, why do I grant them to be necessary by saying, they are not so necessary? If they be necessary, why call I them but Opinions? Doth he know no distinction of things necessary to be known, that some things are not so necessary as other? Somethings are necessary to be known, *necessitate medii*, to obtain Salvation: Somethings are necessary to be known onely, *necessitate Precepti*, because they are Commanded, and they may be Commanded by God or Man; the latter are not so necessary as the former. Somethings are absolutely necessary to be known by all Men: Some other things are onely by some Men; *Art thou a Master in Israell and Iohn. 3.* *knowest not these things?* Somethings are en- 10. joined to be held onely for Peace sake; those are not so necessary to be known as the Commandements, or the Sacraments, or the Articles of the Creed. The Popes fallibility in his definitions of faith, is but an Opinion, and yet they hold it ne-

cessary. The Superiority of a General Councell above the Pope, was a necessary Opinion in the time of the Councells of *Bell. de Concil. Constance and Basile*: and now the Contrary Opinion is *fere de Fide*; almost an Article of Faith. *cap. 17.*

He knoweth better by this time what to understand by *points of Faith publicly professed*; even the Articles of the Creed which every Christian that ever was from Christs time untill this day, professed at Baptisme. All the Christian world have ever been baptised into the Faith of the old Creed, never any man yet was baptised into the Faith of their new Creed: if the new Articles, be as necessary to be known and publicly professed for the common salvation as the Old, they doe the wrong to baptise them but into one half the Christian Faith.

*Heresies
empeach
not the
perpetui-
ty of
tradition*

He troubleth himself needlessly with Jealousy and suspicion, least under the notions of *Faith universally professed*, and the *Christian world united*, I should seek shelter or Patrociny for *Arrians*, or *Socinians*, or any other mushroom Sect; if the Deity of Christ were not delivered by Univerfall Tradition, or not held by the *Christian world united*, because of the

Opposition. I doe not looke upon any
 such Sects , which did or do oppose the
 Universall and perpetuall Tradition of
 the Catholick Church before their dayes,
 as living and lasting Streames , but as
 suddain and violent Torrents ; neither
 do I regard their Opposition to the Ca-
 tholick Church , any more then of a
 Company of Phrenetick persons, whilest
 we see plainly *a parte ante* , that there was
 no time when the wheat did grow without
 those Tares ; and *a parte post* , that
 their Errours were condemned by the
 Catholick Church. This exception of his
 with great force against his immediate
 Tradition ; should the Children of Ar-
 rians or Socinians , persist in their Arrian
 or Socinian Principles , because they
 were delivered to them , as the Lega-
 cies of Christ and his Apostles , by
 their erring Parents ? But against my
 Universall and perpetuall Tradition they
 have no force at all. Neither do I looke
 upon their petty interruption , as an em-
 peachment to the Succession from the
 Apostles , no more then I esteem a great
 mountain , to be an Empeachment to the
 roundnesse of the Earth.

Neither was it the Church of Greece, and all the other Eastern, Southern, and Northern Churches, which receded from the Univerſall Tradition, in the caſe in Difference between us, concerning the diſcipline of the Church; but the Church of Rome which receded from them.

Non tellus Cymbam, tellurem Cymba reliquit.
He knoweth little in Antiquity, who doth not know, that the Creed was a Tradition both materially, as a thing delivered by the Apoſtles, and Formally as being delivered by Orall Tradition. But he who ſhall ſay (as he doth) that all the points controverted between us and them, were delivered as derived from the Apoſtles, in a Practiſe as dayly Viſible as is the Apoſtles Creed, by our Forefathers; as invoking Saints for their interceſſion, the lawfullneſſe of Images, praying for the dead, Adoration of the Sacrament &c; and in particular the Subjection to the Pope as Supreme head (to uſe his own phraſe) is a frontleſſe matter. His very mumbling of them, and chopping of them by halves, as if he durſt not utter them right out, is a ſufficient Evidence of the Contrary. We doe not charge them ſolely with invoking Saints for their interceſſion, or to ſpeake more properly with the invoking God to heare the interceſſion of his Saints.

No tradition
for the
points in
difference
between
us.

Saints; but with more insolent formes of ultimate prayers to the Creatures, to protect them at the houre of death, to deliver them from the Devill, to conferre spiriuall Graces upon them, and to admit them into heaven, precious meritique, not onely by their prayers but likewise by their merits. As improper and Adulteresse, as if one should fall down on his knees before a Courtier, and beseech him to give him a Pardon, or to knight him, meaning onely that he should mediate for him to the King.

We do not question the lawfulnessse of their having of Images; but worshipping of them, and worshipping of them with the same worship which is due to the Prototype. We condemne not *all* praying for the dead, not for their resurrection, and the consummation of their happinesse: but their prayers for their deliverance out of Purgatory. We our selves adore Christ in the Sacrament, but we dare not adore the Species of bread and wine. And although we know no divine right for it: yet if he would be contented with it, for peace sake we could afford the Bishop of Rome a Primacy of Order by humane Right, which is all that antiquity did know. And if any of our Ancestours in any of these particulars, did swerve from the Univerfall Perpetuall

Tradition of the Church, we had much better warrant to return to the Apostolical line and Levell, then he himself had to desert those principles temerariouſly, which his immediate Forefathers taught him, and delivered by the Apoſtles and derived from them.

His next exception is a meere Logomachy, that I call two of his Assertions Inferences. What doth this concern either the perſon or the Cauſe? Either this is to contend about the ſhadow of an Aſſe, or I know not what is. Let the premiſſes or Concluſions which he will, they may be diſpoſed to make them either; if they be neither what do they here, if they be concluſions they are inferences. He called the former Concluſion their *chiefe Objection*; who ever heard of an Objection without an Inference? And the ſecond is ſo far from being no Inference, that it comprehendeth four Inferences, one from the firſt Principle, another from the ſecond Principle, and the third from both Principles. That Churches in Communion with the Roman have the onely right Doctrine in virtue of the Firſt Principle, and the onely right Government in virtue of the ſecond Principle, and Unity neceſſary to Salvation in virtue of both

Principles. And the last conclusion is the
 Generall Inference from all these, *And by*
consequence we hold them, onely to make the en-
tire Catholick Church.

I said truely, that we hold both their
 Rules of Vnity; I adde that we hold them
 both *in the right sense*, that is, in the proper
 literall sense of the words; but what their
 sense of them is, concerneth them not us.
 If by the *Popes Supremacy* he understand a
 single Sovereignty or Supremacy of pow-
 er, by virtue of Christs own Ordinance;
 we hold it not indeed, neither did the Ca-
 tholick Church of Christ ever hold it. So
 likewise if by *Tradition of our Ancestours*,
 he understand Vniversall and Perpetuall
 Tradition, or as it were Vniversall and
 perpetuall; we joine hands with him: but
 if by Tradition he understand the particu-
 lar and Immediate Tradition of his Father,
 or ten thousand Fathers, or the greater
 part of the Fathers of one Province or one
 Patriarchate, in one Age, excluding three
 parts of the Catholick Church of this
 Age, and not regarding former Ages
 between this Age and the Apostles;
 we renounce his Rule in this Sense,
 as a Bond of Errour not of Vni-
 ty. And yet in generall, according to
 the

the Literall sense of the words, we embrace it: as it is proposed by him self that *The Doctrins inherited from our Fathers, as the Legacies of Christ and his Apostles, are onely to be acknowledged as Obligatory.* So we acknowledge both his Rules in the Literall sense *de facto*: but the Popes single Supremacy of Power and particular Tradition, were never Principles of Vnity, neither *de facio* nor *de jure*: and so he may seek for his flat Schismatick *de facio* at Rome.

I said there was a Fallacy in Logic of more interrogations then one, where Questions of a different nature are mixed, to which one Vniform answer cannot be given. He saith *he put no Interrogatory at all to me.* True; but he propounded ambiguous Propositions to be answered by me, confounding St. Peter and the Pope, an Headship of Order and an Headship of power, which is all one. An head of Order hath power to Act First, as well as sit Eirst: but he acteth not by his own single power, but by the conjunct power of the body of College.

pa. 510.

To shew him, that I am not ashamed of my *voluntary railing* (as he phraseth it) *ra*
filly

will merit transcribing or answering, I will
 transcribe it for him. [The Church or
 Court of Rome have Sophisticated the
 true Doctrin of Faith, by their supple-
 mentall Articles, contrary to the First
 principle; and have introduced into
 the Church, a Tyrannicall Govern-
 ment, contrary to the second Princi-
 ple; and are so far from being the entire
 Catholick Church, that by them both they
 are convicted to have made them selves
 guilty of Superstition and Schisme]. If
 this be railing, what Terme doth his
 language deserve? If this be silly, what pi-
 full stuffe is his?

He said *my onely way to cleare our church*
from Schisme, was to disprove his two Rules.
 answered he was doubly mistaken, first
 in putting us to prove or disprove, who are
 the persons accused, the defendants duty
 is to answer not to prove; that is the duty
 of the accuser. They accuse us of Schisme,
 therefore they ought to prove their Rules,
 whereon they ground their Accusation, in
 that Sense wherein they take them; not put
 us to disprove them. He urgeth that by
 this Method, no Rebelle ought to give any
 reason why he did so, because he is accused
 of Rebellion by his lawfull Governour.

By

The
Proof
rests on
their
side.

By his leave, he that condemneth a Subject of Rebellion, before he have proved his accusation, doth him wrong, But he saith, the truth is wheresoever there is a controversy, each side accuses the other, and each side defends itself against the others Accusations; but we were the first accusers, who could not with our Face have pretended to reform, unless we accused first our actuall Governour of Vsurpation. I told him before that he was doubly mistaken; now I must be bold to tell him that he is three wayes mistaken. First the Pope was none of our actuall Governour, in the externall Regiment of the Church, by the Lawes of England. Secondly our Reformation was no Accusation, but an Enfranchisement of our selves *sub moderamine inculpaie tutelae*. Thirdly, I have already manifested the Vsurpation of the Court of Rome, upon other manner of grounds than his ambiguous Rules. As we have proved our intention so let him endeavour to prove his.

My second answer was, that although the prooffe did rest on our sides: Yet I did not approve of his advise, that was, to dispute and prove his two Rules. My reason is evident, we approve of his two rules as they were set down by himself; it is not we but

ey who have swerved from them, and
 therefore it were madnesse in us to disprove
 em. He saith, *he dare sweare in my be-*
liefe, that I never spake truer word in my life,
 and out of his Supererogatory kindnesse
 offers him self *to be bound for me, that I shall*
never follow any advise that bids me speake
me to the point. What silly nonsense is this,
 should I follow any mā's advise to disprove
 that which I approve? I have spoken so
 come to the point without any *advise*, that
 expect little thanks from him and his
 fellows for it.

What he prateth of *a discipline left by*
Christ to the Church of England in Henry the
ighth time, is ridiculous indeed. And it
 equally ridiculous to hope to make us be-
 lieve, that the Removall of a few upstart
 usurpations, *is a change of the discipline left*
by Christ to his Church. And lastly it is ridi-
 culous to Fancy, that later usurpations
 may not be reformed by the Pattern of the
 primitive times, and the ancient Canons of
 the Church, and the Practise of succeeding
 ages, because we received them by parti-
 cular Tradition from our immediate Fa-
 thers. That one place which he repeareth
 having been omitted by me, hath been
 answered fully to every part of it.

The

The rest of this Section is but a Repetition of what he hath said, without adding anything that is new; and in the Conclusion of this Treatise he giveth us a *Summa totalis* of it again (either he must distress his Readers memory or his Iudgement): and yet for feare of not being understood, recapitulates it all over again in his Index. Surely he thinketh his discourse so profound, that no man understands him except he repeat it over and over again: and for my part I did never meet with such a Torrent of Words, and such Shallownesse of matter. And so I leave him to S. Austins censure alledged by himself. *In mala causa non possunt aliter, ac malam causam quis eos habere.*

Sect. II.

That they who cast Papall power out of England were no Protestants, but Roman Catholicks throughout, except onely in that one point of the Papacy.

Hilberio (he saith) he hath been the largest in his reply, because the former points were Fundamentall concerning, and totally decisive

the *Question*. They doe concern the
 question indeed, to blunder and to con-
 found Vniversal Tradition with particular
 Tradition, a Primacy of Order with a single
 Primacy of power, Iurisdiction purely
 spirituall with externall Iurisdiction *in foro*
externo: otherwise they concern not the
 question. And for deciding of the Que-
 stion; wherewithall should he decide it?
 who hath not so much as alledged one Au-
 thority in the Case, Divine or Humane, not
 a Text of Scripture, not a Canon of a
 Council, not a Testimony of a Father;
 who hath not so much as pretended to any
 vniuersall or perpetuall Tradition, but
 only to the Particular immediate Tradi-
 tion of the Roman Church; and this he hath
 only pretended to, but neither proved it,
 nor attempted to prove it, nor is it possible
 for him to prove by the particular Tradition
 of the Roman Church itself, that the Bi-
 shop of Rome is the Sovereign Monarch of
 the Church by Christs own Ordination.
 His onely grounds are his own Vapourous
 ancies, much like *Zeno's* Vaunts, who
 used to bragge, that he sometimes wanted
 opinions, but never wanted Arguments.
 My six grounds he stileth Exceptions.
 And why Exceptions? But let them be
 grounds

grounds, or exceptions, or whatsoever will have them to be: and let him take heed that every one of those *Trifles and Toys* (he calleth them) do not baffle him and trip up his heeles.

I pleaded that [Roman Catholicks make the first separation]. He answered that *this Plea doth equally acquit any Villain in the World, who insists in the steps of his Father Villains*. Would no expression lower then this of *Villains* serve his turne? What can help it? If those *Forefathers* (whom he intimates) were *Villains* or any thing like *Villains*, they were his *Forefathers* twenty times more then ours; We inherit but one point in difference from them, the twenty: The denomination ought to come from the greater part. If any of them were deemed more propitious to us then the rest, it was *Henry* the eighth, or Archbishop *Cranmer*: For both these were by their own confession that they were the

Guil.

First for *Henry* the eight, We had a King

Alan.

who by his Lawes abolished the Authority of

Apol.

Pope, although in all other things he would

cap. 4. follow the faith of his Ancestours. And

pag. 59.

Archbishop *Cranmer* heard another of them, *Cranmer* the unworthy Archbishop of Canterbury was his (the Earle of *Howland* for

(forde) right hand and chiefe Assistant in the
 work, although but a few moneths before he was
 of King Harries Religion, yea a great Patron
 and Prosecuter of the six Articles. But to
 deale clearly with you, there is not the
 same reason to imitate a notorious knave
 in his confessed knavery, and to follow one
 who hath not onely a reasonable and just
 cause of contending, but also the reputa-
 tion of an honest man, even in the judge-
 ment of his adverse party, in all other
 things, except onely therein wherein he
 is adverse to them. Such were all the
 actors in this cause by their Confession.
 If we acknowledged, that they who cast
 out Papall Vsurpations were Schismaticke
 for so doing, he said something: but we
 justify their A& , as pious and virtuous;
 and so his Comparifon hath never a leg to
 run on.

I pleaded, that [it was a violent presump-
 tion of their Guilt and our Innocence,
 when their best Friends, and best able to
 judge, who preached for them and writ for
 them, who acted for them and suffered for
 them, who in all other things were great Zea-
 lous of the Roman Religion, and persecu-
 ted the poore Protestants with fire and fagor,
 yet cōdemne them and justify this seperatiō.]

Q

He

Survey
cap. 2.

He minceth what I say according to his use, and then excepteth, *The word [best] might have been left out; They ever were accounted better Friends who remained in their former faith, and the other Bishops looked upon as Schismaticks by the Obedient party.* Yet the Bishop of Chalcedon doubted not to call them *the best of Bishops.* He should do well to tell us for his credits sake, who those other Bishops were who looked upon these as Schismaticks. Such is his ignorance in the State of these times that he dreameth of two parties, an *Obedient Party* and a *Rebellious Party*; whereas there were no Parties but all went one way. There was not a Bishop, nor an Abbot of Note in the Kingdome, who did not vote the Kings Supremacy, Four and twenty Bishops and five and twenty Abbots personally at one time. There was not a Bishop nor any person of note in the Kingdome, who did not take the Oath of the Kings Supremacy, except Bishop Fisher and S. Thomas Moore who were imprisoned for treason, either true or pretended, before that Act was made, for opposing the Succession of the Crown. If he will not trust me let him trust the Verdict of our Vniversities; At length we all agreed unanimously in this Sentence

and were of one accord, that the Roman Bishop *Act. 8.*
 hath no greater Jurisdiction given him by God Mon.
 holy Scripture, in this Kingdome of En. p. 565.
 land, then any other Forrain Bishop. The Reg.
 same Sentence was given by our Convo- *Epist.*
 cations or Synods, the same Sentence was *Vni.*
 given by our Parliaments with the same *Ox. Ep.*
 concord and Vnanimity, *Nemine Disfen-* 2.
ne; We had no parties but one and all. *Sac.*
 let him listen to his Friend Bishop Gar. *Syn.*
 , No Forrain Bishop hath any Autho- *An. 7.*
 among us; all sorts of people are agreed 1530.
 upon this point with most stedfast con- &
 , that no manner of person bred or brought 1532.
 in England hath ought to doe with 24 Hen.
 8. c. 12.
 And Ireland was unanims here in with *Devera*
 land. All the great Families as well *Obedi-*
 the Irish as of the English, did acknow- *entia.*
 ge by their Indentures to S. Anthony
 Leger then chiefe Governour of Ire-
 and, the Kings Supremacy and utterly re-
 nounce the Jurisdiction of the Pope. Yet it *Counc.*
 is not the meaning of our Ancestours *booke*
 , and (though some of them had *Ani*
 so minded) it is not our meaning 32. 33.
 to meddle with the power of the 34.
 , or abridge the Bishop of Rome *Hen. 8.*
 any Jurisdiction purely spirituall, or

any Legacy which was left him by Christ or his Apostles : but onely to cast out his usurped Coactive power in the exterior Court, without the leave of the Sovereign Prince, which Christ and his Apostles do never exercise or dispose of or meddle with, and to vindicate to our Kings the Politicall or externall Regiment of the Church, by themselves and by their Bishops and other fit delegates, as a Right due to all Christian Princes by the Law of God and nature.

But he attributeth all this to *the Feare* of the Clergy and the people, and *the Kings violent Cruelty*: and for prooffe of what he saith, citeth half a passage out of *Dr. Hammond*, but he doth *Dr. Hammond* notorious wrong. *Dr. Hammond* speaketh onely of the first preparatory act, which occasions them to take the matter of right into a serious debate in a Synodicall way: he applieth it to the subsequent act of Renunciation after debate. *Dr. Hammond* said onely it is to be believed: *Mr. Serjeant* maketh it a Presumption or confest Evidence. *Dr. Hammond* speaketh of no feare but the feare of the law, the law of Premunire; an ancient law made many ages before *Henry eighth* was borne, the *Palladium* of Engla

England, to preserve it from the Vſurpations of the Court of Rome : but he miſapplies it wholly to the feare of the Kings violent Cruelty. Laſtly he ſmotheres Dr. Hammonds Senſe expreſſed clearly by himſelf, that *there is no reaſon to doubt, but that they did believe what they did profeſſe, the feare being the Occaſion of their debates, but the reaſons or Arguments offered in debate the cauſes as in all Charity we are to Iudge* of their deciſion. He uſeth not to cite any thing ingenuouſly:

If he did, he could have told his Reader, that this answer was taken away by me before it was made by him. For two whole Kingdomes, the Vniuerſities, the Convocations, the Parliaments, to betray their Conſciences, to renounce an Article which they eſteem neceſſary to ſalvation, onely for the feare of a Premunire or the loſſe of their goods, to forſwear themſelves, to deny the Eſſence of their faith, to turn Schiſmaticks, as if they did all value their Goods more then their ſoules, without ſomuch as one to oppoſe it; is a vain uncharitable ſurmise or rather it is incredible, and not onely incredible but impoſſible. They were the men that adviſed the King to aſſume the Supremacy. *Act. ad*

Warham told the King it was his right to have it before the Pope, Bishop Gardmer was the chiefe framer of the oath of Supremacy Bishop Tonstall and Longlands were the chiefe Preachers up of the Kings Supremacy at St. Pauls Crosse, Tonstall justified it in his Letter to Cardinal Pole Gardiner and Beckenshaw did write Polemick bookes in defence of the Kings Supremacy. The whole Convocation did set forth a Catechisme or Catechetical booke, to instruct the people in the Kings right to the Supremacy, called *the Instruction of a Christian man*. Bishop Bonner, bloudy Bonner, who made such Bonfires of the poore Protestants, being then the Kings Embassadour with Clement the 7th, did boldly and highly set forth King Henrys Supremacy in the Assembly of Cardinalls that they thought of burning him or casting him into a vessel of Scalding lead, if he had not secured himself by flight.

Ac-
worth
contra
Sand.
l.2.pag.
195.

Suppose it was credible that they all voted out of feare, and tooke the Oath of Supremacy out of Feare; what feare could constrain them to advise the King to assume the Supremacy as his right, to frame the Oath of Supremacy, to instruct others in the Kings right to the Supremacy, by pri-

rare Letters, by publick Catechismes, to
 preach up his Supremacy, to propugn his
 Supremacy in their Polemick writings, in
 their Orations before the Cardinalls them-
 selves with hazard of their lives, to tickle
 the Kings ears with Sermons against the Popes Speed in
 Supremacy? Who shall still say what these Hen. 8.
 men did was out of feare, must be a very cap. 21.
 credulous man. The contrary is as evi- n. 105.
 dent to the world as Noone day light. I
 will conclude this point of the Feare of the
 Kings violent Cruelty, with Bishop Gardiners
 Testimony of himself. He objecteth *De vera*
 that as a Bishop he had sworn to maintein the *Obedi-*
 Supremacy of the Pope. To which he answered. *ia.*
 that what was holily sworn, is more holily
 committed, then to make an Oath the Bond of
 Conscience. He confessed him self to have been
 married to the Church of Rome bona fide as to
 his second wife; but after the return of his first
 wife (that is the truth) to which he was espoused
 in his Baptism, being convicted with undeniable
 evidence, he was necessitated out of Conscience,
 to forsake the Church of Rome in this particular
 Question of Supremacy, and to adhere to his
 first wife the truth, and after her to his Prince
 the Supreme head of the English Church upon
 earth.

Secondly, I pleaded that [although it
 doth

doth not alwaies excuse *a toto* from a guilt, to be misled by others into error, yet it alwaies excuseth *a tanto*, it extenuateth the Guilt]. This Allegation is so evidently true, that he hath not confidence enough to deny it, (which is a wonder,) but argues against it, first, *how could we thinke their example to be followed, whom we confesse to have done what they did out of feare?* Or rather what a shamelesse untruth is this? His witness saith, that feare might be the Occasion of the debate, but reason and Conscience were their directours in the decision; and we have demonstrated that their actions could not possibly proceed from feare.

His second answer is, *why doe we not rather follow them in renouncing their Schisme, those Bishops did after the Kings death?* One proved false is alwaies presumed to be false. Who told him that they made a retraction after the Kings death, after they were freed from their imminent feare? They made no Retraction, but held their Bishopricks in King Edwards time untill other Questions did arise, and executed the Statute of Supremacy as rigorously as they did in Henry the eighths time. For prooffe where

of, I cite the Testimony of Queen *Eliza-*
beth, given to their Faces in their lives times,
 before the most eminent Embassadors
 of the greatest Princes, when they might
 have contradicted it if they could, when
 the Emperour and other Roman Catho-
 lick Princes interceded with her for the
 displaced Bishops: She gave them this an-
 swer, that *they did now obstinately reject that*
Doctrin, which most part of themselves under *Camd.*
Henry the eighth and Edward the sixth, had *an. Eli:*
of their own accord with heart and hand, pub- *an 1559*
licly in their Sermons and writings taught
unto others, when they themselves were not
private persons but publick Magistrates.
Observe the words, first, of their own ac-
ords. Secondly not onely under Henry
the eighth but Edward the sixth; there falleth
On this Plea to the ground. Thirdly when
they themselves were publick Magistrates,
and consequently in a Capacity of doing
rather then of suffering. Lastly with heart
and hand, not onely in their Sermons, but
also in their printed Writings. We use to
say, there is no defence against a Flaile;
certainly against Subscriptions and pub-
lik writings there can be no De-
fence.

To

De Schism. Anglic. l. 2. p. 282. To the Queenes testimony I adde another of Sanders, that the Bishops of Winchester, London, Durrham, Worcester, Chichester, Excellent Men and inwardly Catholicks, yet became made Bishops in the Schisme, they had not the Spirit of courage. Therefore they resisted faintly to the Kings Primacy, or rather they subscribed simply both to it and all other innovations, which seemed not to containe open haresy, least they should lose their Bishopricks. When may we expect a true word from him?

Thirdly, he urged the beginners of fault, may be lesse culpable then their followers, when their Provocations be greater. Their Provocations were no lesse then expectation of death and destruction by the Kings humane Cruelty: but our continuance in the Schisme compared to the Motives of the same is in a manner gratis, all our reasons being for our Livings and Interest heretofore, and now a vain glorious Itch to approve ourselves to our party. We have had many proofes of his Veracity, here is one more of his Charity. Suppose his new light had lead him into ready Paths not Precipices, (which no man will grant him, but his own Fellowes): Yet why should we accuse us of Hipocrisy rather then of error in Iudgement, who have lost all our

ates for our Consciences , which probably he never had to loose, nor would have stirred it so if he had had it? but onely that his own guilt doth dictate such uncharitable censures to him. No Mr. Serjeant, we are no such Changlings or turning weather cocks; that is your own part : And you may be to act it over againe , such hot water seeth soonest. Are you so blind, that you do not see that this Accusation might be referred upon you , and upon your great converts whom you propose to us for Patterns? Who as you say had been Schismatics in *Henry* the eighths time; you might well say for the most part of them in *Edward* the sixth time also , and had no other way in the World to preserve or recover their Bishopricks in *Queen Maryes* times but by pretending at least such a Concession. But we are not so uncharitable as you, we Iudge them by their profession and save their Consciences to God.

Thirdly , I pleaded that although those who cast the Popes pretended Sovereignty over *England* , had been Schismatics as they were not : yet we cannot be charged with Schisme , so long as we seek carefully after truth , and are ready implicitly in the separation of our minds to embrace it, when.

whensoever we find it. Because he sheweth
 not Prevaricate with us, I will reduce my
 Argument into Syllogisticall Forme. Who-
 soever invented not their false Opinions
 themselves, but learned them from the
 erring Parents, are not to be reputed Hereticks
 (much lesse Schismatics,) if they de-
 fend thē not with pertinacious animosity,
 but inquire carefully after the truth, and
 be ready to embrace it, and correct the
 errors when they find them: But if we
 had any false opinions we invented them
 not our selves, but learned them from our
 erring Parents. Therefore we are not
 to be reputed Hereticks (much lesse Schisma-
 tics,) if we defend not our Opinions with
 pertinacious Animosity, but inquire care-
 fully after the truth, and be ready to em-
 brace it, and Correct our Errors when we
 find thē. The Major is *St. Austins* to a word
 and is yielded by *Mr. Serjeant* to be true. The
 Minor is evident to all the world and can
 be denied: Therefore the conclusiō is firm.

Aust.
Epist.
 162.

I doe not urge this, as though I had the
 least suspition in the world that our An-
 stours did erre, but to shew that although
 they had erred, yet we are not to be reputed
 Hereticks or Schismatics whilest we do
 our endeavours to find the truth, and em-
 brace it implicitly in the preparation of our
 minds

nds. Neither do I urge this to convince
 ers who do not know our hearts, and
 perhaps will not believe us, when we tell
 em that we hold the truth implicitly: but
 for the satisfaction of our own Conscien-
 es; We know whether we hold Opinions
 rtinaciously or not; and whether we
 fire and endeavour to find out the truth
 or not; and whether we are willing to em-
 brace the truth whensoever God shall re-
 veal it or not: None know it but God and
 ourselves, Mr. Serjeant cannot know it.
 and therefore as his answer is improper
 and contrary to the Rules of Logick, to
 deny the Conclusion or Condition contain-
 ed in the Conclusion: So it is vain and
 presumptuous to Iudge of another mans
 Conscience, which is known onely to God
 and himself. I cited *S. Austin* to prove the
 Proposition which he yieldeth, not the As-
 sumption which is too evident in it self to be
 denied, much lesse to be a witnesse of our
 hearts which it was impossible for *S. Au-*
stin to know. Iudge Reader what *Ardelioes*
 and busy bodyes these are, censuring and
 damning all Protestants to the Pit of Hell
 as Hereticks and Schismaticks, and yet
 when they are pressed home, are forced
 to confesse, that if they doe endea-
 vour to find out the truth, which all
 good

good Christians doe ; then they are neither Hereticks nor Schismatics. This may be a great Comfort and Satisfaction to Consciencious Protestants, who are daily molested by these men and terrified with such Bugbeares as these. But Mr. Serjeant hath devised a new Method to discover the hearts of Protestants, by *the Testimony of their eyes, and the undeniable Verdict of their Reason*, onely by viewing my Answer to his first Section. *Risum tenet amici ?*

To draw the Saw of Contention to us from, about Henry the eighth Warham Henry Tonstall Gardiner Bonner &c, whether they were Protestants or Papists is impertinent and, frivolous. Impertinent ; let them call them Protestants, or Papists, or neither, or both ; it is all one to my Argument, that it is a violent Presumption of their guilt and our Innocence, that all their great Scholars who preached for them, and writ for them, and acted for them, and suffered for them in all other differences, should desert them in this. And frivolous ; to contend about the word when we agree upon the thing. The thing is without all Controversy or Dispute ; they held with the Protestants in the Article of the

Supremacy, and with the Papist in all
 Articles what soever.

Now whether their Denomination shall
 from the greater part as it is in all other
 things, (mixe one drop of milk with twenty
 fourty of water, and we call it water
 milke) or from the Lesser part as *Mr.*
Wheat would have it, I commit to the Rea-
 son's Iudgement, and desire him to deter-
 mine it himself; whatsoever way he deter-
 mines it, his Iudgement will be lesse Prejudi-
 ciall then to be molested with such wran-
 ds.

Protestants may persecute Protestants,
 not as Protestants, and Papists may per-
 secute Papists (as the *Iansenists* persecute
Jesuits), but not as Papists; even *Ishmaels*
 attacks are termed persecutions: but they
 do not make such bloody lawes, against
 those whom they acknowledge to be of
 their own Communions, as the law of the
 Articles was, or persecute them with
 fire and faggot as *Bonner* did. He urgeth p. 520
 that between every Species of Colour which we
 have names for, there are hundreds of middle de-
 grees for which we have no names. Well argu-
 ed against himself; Wit whither wilt thou?
 then why doth he call them Protestants,
 and give them a name? There are indeed
 between

between every Species of Colours, the middle degrees which have no distinct names; but therefore we give the names of those Colours which they come nearest to; either with a distinction if the difference be easily expressed, as grassgreen, seagreen, willowgreen, &c. or without any distinction, the white of an Egge is not white as snow, yet both white. If he would pursue his own instance this Controversie were ended.

He prateth of the subordinate Sects of Protestants, and how changeable they are every day. He loveth to have a Vagare out of his lists. It is his Spirituall Mother Church of England, that gave him his Christian being, which he hath undertaken to Combate; let him adorn that *Sparta* as he is able: and if he did it with more Moderation he were lesse to be blamed then he is. she had been but his old Friend, yet Friendship ought to be unstitched by degrees not asunder suddainly. But to cast dirt in the Face of his own Mother, is a shrewd sign of an ill nature. As the Foole said to a Favorite, *If I fall I can rise againe, but if thou fall thou wilt never rise againe*; so if we change, there is no great danger in it, because we keep our selves firmly to our old Essentials, the

the Apostles Creed; but their Change is dangerous, who change their Creed, and returne to adde new Essentials to the

He beareth such a perfect hatred against Reformation, because it is destructive to his foundation of immediate Tradition, that he maketh *No Papist* and a *Reformer* to be the Character of a Protestant. Popes and Cardinalls, Emperours and Kingdomes, Churches and Councells have all acknowledged both the Lawfulnessse and necessity of Reformation. What doth he thinke of the Councell of Trent, or hath he peradventure never read it? But what doth he thinke of the Councells of *Constance* and *Barrack*, who professe themselves every where to be qualified to reform the Church, *tam in capite quam in membris*; as well in the head as in the members? They escape fairly if he doe not censure them as Protestants; for they were great Reformers, and they were no great Papists, placing the Sovereign power under Christ in the Church and not in the *first Mover*. I might well call the Reformation in Henry the eightes time *their Reformation*, the *Papists Reformation* rather then ours, if the Reformers were more Papists then Protestants, as it most evident.

I pressed him that if *the Renunciation of the Bishop of Romes absolute universall Monarchy*, by Christs own Ordination, be the essence of a Protestant, then the Primitive Church were all Protestants. He answereth, it is flatly false. I am contented to be silent for the present, but when time serveth, it may be made appear, to be *flatly true*; and that all that the Primitive Fathers did attribute to the Bishop of Rome was no more them a Primacy of Order at beginning of Vnity; and that an absolute Monarchy by Christ Ordination, is absolutely repugnant to the Primitive Discipline

I proceeded [then all the Græcian, Russian, Armenian, Abyssen Christians are Protestants this day]. He answereth, that *it is partly true and partly false, and serves only to prove that the Protestants have fellow Schismatics*. And why partly true and partly false? when all the world seeth, that all these Churches doe disown and disclaim the Popes Monarchy. This is just the old condemned Tenet of the Schismaticall Denatists, who did most uncharitably limit the Catholick Church to their own Party excluding all others from hope of Salvation, as the Romanists doe now. The be

is, we must stand or fall to our owne Ma-
ster: But by this means, they have lost one
of the notes of their Church, that is *mul-*
titude, for they exclude three or four times
more Christians, out of the Communion
of the Catholick Church, then they admit
into it.

I proceeded yet higher, [then we want
not store of Protestants, even in the bosome
of the Roman Church it self]. His answer
is, that to *speake moderately*, it is an *impudent*
falsehood, and a *plain impossibility*, for *whosoever*
renounceth the Substance of the Popes Autho-
rity, and his being head of the Church, becomes
usually disunited from the Church. Good words!
His groundworke is to weake to support
the weight of such an heavy accusation.
A Primacy of Order implyeth an *headship*,
as well as *Supremacy* of power; neither is
it destitute of all power. It hath some
power essentially annexed to it, to con-
gregate *sub pana purè spiriuali*, to propose,
to give sentence according to the votes of
the College; It may have an accessary
power, to execute the Canons according to
the Constitutions of Councells, and Im-
periall Sanctions, and Confirmations.

But all this commeth far short of that
headship which he assereth, a *Sovereign*

Monarchicall Headship of absolute power,
above the whole Church by Christs Ordination.
 This is that Headship which he maintaineth against me every where. This is that Headship which the Primitive Church never acknowledged. This is that Headship which the *Grecians, Russians, Armenians, Abyssines* and the Church of *England* renounce at this day. This is that Headship, which many of his own Communion who live in the bosome of the Roman Church, do not believe; as the Councells of *Constance*, and *Basile*, and *Pisa*, the Schoole of *Sorbon*, and very many others every where who do all reject it, some more some lesse. The maine difference and almost the whole difference between him and me, is concerning Coactive power, in the Exterieur Court, over the Subjects of other Princes, against their wills; this is so far from being vniversally believed, throughout all places of the Roman Communion, that it is practically received in few or no places, further then it seemeth expedient to Sovereign Princes. If the Pope himself did believe, that he had such an absolute Sovereignty of Monarchicall power, in the exterior Court by Christs own Ordination, to him and his Successors, How could

could he alienate it from his Successors almost wholly to the Princes of *Sicily*, and to their Heirs for ever, within that Kingdome: Or how could the Princes retein it? If the King and Kingdome of *France* did believe, that the Pope had such an absolute Monarchical power, in the Exteriour Court, by Christs own Ordination; how could the King of *France* forbid the Popes Legates without his License, or restrain their Legantine Commissions by his Parliaments, or sweare them to ad nothing contrary to the Liberties of the Gallican Church, and to cease to execute their Commissions whenever the King and Kingdome should prohibit them, or reject Papall decrees further then they are received in that Kingdome? Or if the Councell of *Brabant* did believe it, how could they forbid the Subjects to repaire to *Rome* out of their own Country, upon the Popes Summons? All men know that there is no Privilege or Prescription against Christs own Ordination. *Qui pauca considerat, facile pronunciat.* This is ever the end of his Contradictions.

Lastly he Chargeth me for omitting to answer to his reason, that *the renouncing the Pope is essentiall to Protestantisme.* Truly I neither did nor do hold it worth answering. Cannot he distinguish between

pa: 522

the whole Essence of any thing, and one Essentiall? He might as well affirm, that he who believeth but one Article of his Creed is a Christian. This requireth no great skill to explicate it: but I have remitted this Controversy to the Reader as fittest for his determination.

SECT. III.

*That Henry the 8. made no new Law
But onely vindicated the ancient
Liberties of England.*

CHRISTIAN Reader thou hast seen hitherto, how *Mr. Serjeant* hath failed altogether to make good his pretensions: and in stead of those great mountains of Absurdities, and falsifications, and Contradictions which he promised, hath produced nothing worthy of so weighty a cause or an ingenious Schollar, but his own willfull ridiculous mistakes. We are now cometo his third Section, wherein thou maiest seethis young *Phaeton* mounted in his Triumphant Chariot, driving the poor Bishop as a Captive before him: now expect

expect to see him tumbling down headlōg,
 with a fall answerable to his height of pride
 and insolence. He professeth himself wil-
 ling to stand to the Award of the most partiall
 Protestant living, who hath so much sincerity as
 to acknowledge the Suns shining at noone day, or
 that the same thing cannot both be and not be at
 once. If after this lowd confident bragge,
 he be not able to make any thing good
 that is of weight against me, he hath for-
 feited either his Iudgement, or his ingenu-
 ity, and deserveth not to be a writer of
 controversies. I need no partiall Iudges,
 but appeale to the indifferent Reader of
 what communion soever he be: he nec-
 eds but to compare my *Vndication* his
 answer, my Reply his Rejoinder, and my
 rejoinder together in this one short
 section, and give sentence readily who
 is the *Mouniebanke* and *Prevarica-*
tor.

And first I challenge this great Cham-
 pion of downright Cowardise, as great as
 ever his Predecessour *Thraso* shewed in
 the Comedy; in smothering and concea-
 ling palpably and shamefully his Adversa-
 ries reasons, and declining the heat of the
 fault. The maine subject of this Section,
 is to shew that the ancient Kings of

En-

England, did assume as much power in Ecclesiasticall affaires as Henry the eighth did, that the Lawes of Henry the eighth were no new Lawes, but onely renovations and Confirmations of the ancient Lawes of *England*, which had never bene repealed or abrogated in the dayes of his Predecessors but were of force in *England* at that very time when he made his Lawes; As the Statutes of *Clarendon*, The Statute of *Carlisle*, The *Articles of the Clergy*, The Statutes of *Provisors* and other old Lawes made in the time of Henry the first, Henry the third, *Edward* the first, and *Edward* the third, *Richard* the second, Henry the Fourth, all of them dead and gone many ages before Henry the eighth was born. I shewed particularly, that they suffered not the Pope to send for any English Subject out of *England* to *Rome* without leave, nor to send any Legate into *England* without leave, nor to receive any Appeale out of *England* without leave. They made it death, or at least the forfeiture of all a mans estate, to bring any Papall Bulls or Excommunications into *England*. They called Ecclesiasticall Councils, made Ecclesiasticall Lawes, punished Ecclesiasticall persons, prohibited Ecclesiasticall Iudges, received Ecclesiasticall

Appeales, made Ecclesiasticall Corpora-
 tions, appropriated Ecclesiasticall Benifi-
 ces, rejected the Popes Lawes at their ple-
 asure with a *Nolumus*; wee will not have
 the Lawes of *England* to be Changed, or
 have Legislative Interpretations of them as
 they thought fit. All this I have made evidēt
 out of our ancient Lawes, our Records,
 our Historiographers; in my Vindication,
 in my Reply, and in this Treatise. And
 therefore I might well retort upon him his
 own Confident bragge, that it is *as cleare*
as the suns shining at noone day, or that the same
thing cannot be and not be at once; that our
 Ancestours who did all this and much mo-
 re then this, did acknowledge no Monar-
 chicall power of the Pope in the Exteriour
 Court, by Christs own Ordination, as
 Mr. Serjeant asserteth; and that they did
 exercise as much power in the externall
 Regiment of the Church, as *Henry* the
 eighth did; and that *Henry* the eighths la-
 wes were no new lawes devised by himself,
 but were the lawes of these ancient Kings
 renewed by him, or rather the Fundamen-
 tall Lawes and Liberties of *England*, expo-
 sed by these ancient Kings as a Buckler
 against the Encroachments of the Roman
 Court.

Now

Down
Derry
pa 311.

Now to all this cleare evidence what answer doth *Mr. Serjeant* make? Iust *Thraso* like, when the matter comes to push of pike he sneaketh away *post principia*, into the securest place he can find. Speak the truth in earnest, *did Pyrrhus use to doe thus*? It is not possible to squeeze one word of particular answer out of him: onely in generall he saith *I bring diuers allegations, wherein the Popes pretenses were not admitted &c.* And so proceedeth, *doe we professe the Pope can pretend to no more then his right &c.*? Lawes and Records are but bare *Allegations* with him: and prohibiting under pain of Death or Confiscation of Goods, is no more but *not admitted*. Speake out man and shame the devill; whether did *the Pope* pretend more *thē his right* or not? whether were the ancient English Lawes just Lawes or not? This is certain, his Pretensions and these Lawes cannot both be just. The very substance of his Monarchicall power in the exteriour Court, is prohibited by these Lawes, his Sovereign power or Patronage of the English Church, his Iudiciary Power, his Legislative Power, his dispensative Power, all are lost if these Lawes stand. All which *Mr. Serjeant* blancheth over with this generall expression, *such and such things.* Will
the

the Court of Rome thank *such and such an*
 Advocate, who forsakes them at a dead
 life? I throw no.

And although I called upon him in my
 reply, for a fuller and more satisfactory
 answer to these Lawes: yet he giveth none
 in his Rejoinder, but shuffleth up the mat-
 ter in Generalls. *As for his particularities*
trenching on, or pretended to entrench on the
Popes Authority; whether they were lawfully
made or no, how far they extended, in what Cir-
cumstances or cases they held in what not, how
the Letter of those Lawes are to be understood
&c. all which the Bishop Omits, though he ex-
presses the bare words; it belongs to Canon and
Secular Lawiers to scuffle about them, not me.
I hold myself to the Lists of the Question, and
the limits of a Controvertist. Yes, even as
Abbas held himself to the Lists, when he stole
behind the second wards. This is neither
more nor lesse, but flat running away, and
trying to the Canonists for help. If the
subject be improper for him, why did he
undertake it, and not try first,

Quid ferre recusent,

Quid valeant hameri.

Why did he undertake it with so much
 youthfull Confidence and insulting scorn
 and petulance, to accuse his adversary of
 impu-

impudence? And as if *impudence* were too moderate a Character for him, as a profest and sworn enemy of *truth* shame and honesty; making him worse then a mad man or born fool. And all this for pretending that Henry the eighth did no more against the Papacy then his Ancestour Kings had done before him: and now when his Cavills are thrust down his own throat, when the *impudence* is brought home to him and laid at his owne doore, when the very Lawes of his Ancestours are produced wherein they provide the same remedies for the Roman Court that Henry the eighth did; he would withdraw his own neck out of the Collar, and leave the defence of his cause to the *Canons* and *Secular Lawiers*, to scuffle about the sense of these ancient Lawes, and whether they were lawfully done or no, and how far they extended, and in what cases they hold in what not. And this is all the answer, which he vouchsafeth to these ancient English Lawes: that is as much as to say he knoweth not what to answer, or it doth not belong to him to answer: and this he calleth *holding himself to the Lists of the Question* but all other men call it leaping out of the Lists of the Question, and a shame

full deserting the cause he had undertaken
to defend.

I ever acknowledged that *Henry* the
eighth made sundry new Statutes against
the Vsurpations of the Court of Rome; but
I adde that these Statutes were declara-
tive of old Law, not Enactive of new
Law. This is as cleare as his noone day-
light. And I proved it by the Authority
of two of our greatest Lawiers, *FitzHer-*
bert and my Lord *Cooke*, persons sufficient
to know the difference between a Statute
declarative of old Law, and a Statute E-
nactive of new. Secondly, I proved it
by one of the Principall Statutes themself-
es: those terms of Law which declare old
Law, are not the same with those which
enact new Law. This prooffe is demon-
strative. He urgeth, *if there were some thing*
new, it was new, and a Statute we Englishmen
use to term a Law. So if he new turn his
Coat, there is something new, yet we
English men say his Coat is and old
Coat for all that. *Magna Charta* or
the great Charter of England is an old
Law, yet it hath been renewed or newly
declared by almost every succeeding
King. New Statutes may declare old
Laws.

He

He saith I cite two Protestants Fitz Herbert and my Lord Cooke, both of my owne party, to speake in behalf of Protestants. I cite no Protestants as Protestants, nor speak for Protestants, nor as witnesses in any case in difference between Protestants and Papists: but I cite two great English Iudges as Iudges, to speak to the Difference between a Declarative Statute and an Enactive Statute by the Law of England and who could be so proper witnesses by the Law of England as they. Secondly he told him that *Fitzherbert* was a Protestant. No more a Protestant then himself, for as much as I could perceive. He was a great Iudge, lived in *Henry* the eighth time, and writ fundry workes. Where he setteth down the Charge against a Papist he doth it in such a manner that it can be answered by no man, except he will confesse himself to have done what he did *obstinately* and *unlawfully*: but where he setteth down the charge of a Iustice of Peace against *Heretics* or *Lollards*, he giveth it home. *Mr. Serjeant* hath the art to make Protestants or Papists, of whom he list, so it serves his present turn. Thirdly, though *Fitzherbert* and my Lord Cooke had said nothing yet the case is as cleare as the light, that

Fitz Herbert
the charge, pag.
111. &
p. 129.

this very Statute is Declarative of old Fundamentall Law not Enactive of new Law.

And this I prove first by view of the Statute it self. He that hath but half an eye in his head, may easily discern the difference between an Enactive Statute and a declarative Statute. An Enactive Statute looketh onely forward to the time to come, and meddleth not at all with the time past: but a declarative law looketh both wayes, backwards and forwards, forward to the time to come and backward to the time past. Again, the very form and tenour of the words is not the same in an Enactive Statute and in a Declarative Statute; An Enactive Statute regardeth onely, what shall be, but a Declarative regardeth what is and what hath been; an Enactive Statute createth new Law by the authority of the present Lawgiver, a Declarative Statute confirmeth old Law, and is commonly grounded upon the Fundamentall Constitution of the Kingdome. Now then let us take 24. Hen. 8. cap. 12. By divers old *Politicall histories and Chronicles it is manifestly declared, that this realm of England in an Empire and so hath been accepted in the world, governed by one supreme head and King &c. to whom a body Politick compact of all sorts* and

and degrees of people, divided by names of Spirituall and Temporall, owe next to God a naturall obedience, he being instituted by the goodnesse of God, with plenary power to render finall justice for all matters. You see plainly that this Statute looketh both wayes forward and backward, and doth not onely create new Law, but also declare what hath been, what is, and what ought to be the perpetuall Law of England. By divers old authentick Histories and Chronicles it is manifestly declared &c. ; then it is manifest that this is a declarative Law.

He saith, *I quote the Schismaticall King himself and the Schismaticall Parliament speake in their own behalf.* By his leave he is mistaken, I ground not my reason upon the Authority of the King and Parliament, but upon the form or tenour of the Statute, whether these words doe contain the form of an Enactive Statute or a Declarative Statute. Secondly, if I did yet he hath no reason to complain of it, which maketh the Pope and his Councell to be the last Iudge in his own case. Thirdly, shall be bold to scrue up this pin a notch higher, and tell him that if Henry the eighth did make himself the last Iudge, in the differences between him and the Papacie which

which concerned the Church and King-
 dome of *England*, he did no more then many
 other Christian Kings and Princes have
 done before him; as I have shewed in the
 Empire, *Spain*, *Italy*, *Brabant* &c. Fourthly,
 if that which was decreed in this Law, was
 decreed in former Lawes standing in full
 force and unrepealed, then it is not Ena-
 ctive of new Law, but Declarative of old
 Law: but I have produced him the Lawes
 themselves, wherein the self same things
 have been decreed, and he turneth his
 back upon them, and referreth us to the
 Canonists for an answer. Lastly, it is so far
 from being true, that those Statutes made
 by Henry the eighth were new Lawes, that
 those ancient Statutes of *Clarendon*, of
Carleile, the *Articles of the Clergy*, the Sta-
 tutes of *Provisors*, were no new Lawes
 when they were made: but new declara-
 tions of the Fundamētall Lawes of *England*,
 of the Originall Constitution of the En-
 glish Empire; as appeareth undeniably by
 the Statutes of *Clarendon*, the Statute of *Car-*
leile, and the Statutes of *Provisors*; wherein
 the same truth is affirmed as positively as I
 can do it.

But now, Reader, wilt thou see a con-
 vincing prooffe, of the extreme carelesnesse
 and unconscionable osцитance of this great

Champion ; who writeth his answers at
 Randsome , and never so much as readeth
 what is objected against him. I cited two
 Statutes , the one of 24. Hen. 8. cap. 12.
 the other of 16. Ric. 2. cap. 5. The Print-
 er citeth them right in the margent , but a
 little confusedly : but when *Mr. Serjeant*
 commeth to answer them, he confoundeth
 them indeed , attributing *Richard* the se-
 conds Statute to *Henry* the eighth. An-
 lest any man should excuse him and say
 it was the fault of the Printer , heare him
he alledgeth another Statute made in the 24.
Henry the 8. Yes, well guessed; otherwise call-
 ed the 16, of *Richard* the second. And a little
 after , *what matters it what this Statute sayeth*
being made two yeares after his unlawfull mar-
riage with Anna Bullen ? I know not where
 he learned this , except it was from the old
 Puppet player , who would have *Queen*
Dido to be *Richard* the thirds Mistresse ; he
 might perchance have such another odd
 Fancy that *Richard* the second was *An-*
Bullens Servant. That which I observe
 earnest is this , that he answereth at Ran-
 dom to he knoweth not what , and never
 peruseth that which is objected against him.
 If it had been some rare piece that was cited
 that he could not have come by it, it had
 been

bene the more pardonable : but it is an
 English Statute which he might have found
 in every Bookebinders Shop , in every
 Lawiers Study, in every Iustice of Peaces
 Closet. And yet he is as confident as *Gawens*
the best Statute he could pick out you may be sure.
 How doth he know that ? We all see he
 never read it , nor knoweth whether it be a
 Statute or no. Then he telleth us, *there is*
not a Syllable in it concerning Spirituall Iuris-
isdiction. Well guessed by Instinct : but for
 once his Instinct hath deceived him ; if
 Excommunication be any part of *Spirituall*
Jurisdiction, there is more then one Syllable
 of *Spirituall Jurisdiction* in it. But con-
 sidering our English Statutes both ancient
 and new , which concern the casting of
 Papall Authority out of the Kingdom,
 have given him a full satisfactory account
 formerly , to which I refer him.

We have seen how carelesse he is
 in reading over Lawes before he an-
 swer them : Now let us observe the
 same Olscitance or want of Ingenuity to-
 wards his Adversary , that he may learn
 what he gets by his Falsifications

Nempe hoc quod Veneri donata a virgine puppa.

Reall falsifications retorted upon him instead of his feigned ones. He answered *that to limit an Authority, implies an admiration of it in cases to which the Limitation extends not*. I replied, that these ancient Lawes of England did not onely limit an Authority, but deny it, that is deny it in such and such cases mentioned in the Lawes, deny it Coactively in the exterior Court without the leave of the Sovereign Prince. So the Lawes may differ, the restraints may differ, the leave may differ in degrees, according to the difference of places; notwithstanding this denyall. That which he beated at is this, that *we deny all Papall power whatsoever; but other Churches do onely limit it.* In answer, we doe not deny the Bishop of Rome all manner of power; We deny him not the power of the Keys, we deny him not any power purely Spirituall, we deny him not his beginning of Vnity, if he contented with it: but we deny him Coactive power in the Exterior Court over the Subjects of other Princes, without the Sovereigns leave. If some Princes give more leave then others, as finding it more expedient for their affaires; we doe not envy it.

But he urgeth, that *I do not deny equivocal*

him in *Lanes in France Spain Germany Italy. I nei. Reply*
 ther deny it nor affirm it, or I affirm it onely *pa. 21.*
 in part [Yes, there are some such Lawes in
 all these places by him mentioned, per-
 haps not so many, but the Liberties of the
 French Church are much the same with
 the English]. *Some such Lawes, not so many,*
much the same, are no proofes of *Equiv-*
alence: or if he will call them *Equivalent*, it is
 onely *secundum quid* not *simpliciter*, respecti-
 vely in some cases not vniversally in all
 cases. But he hath another place, which
 striketh home, where I affirm that [the like *Vind.*
 Lawes may be found in *Germany, Poland, pa. 73.*
France, Spaine, Italy, Sicily, and if we will
 trust *Padre Paolo*, the Papacy it self]. But did
 either I or *Padre Paolo*, speak of those anciēt
 English lawes by me cited, made to restrai-
 ne the Vsurpations of the Bishops of *Rome*?
 So he saith, but it is a grosse Falsification.
 I did neither speake of them in that place,
 nor *Padre Paolo*: but we both speake of
 another Law of a quite different nature
 from these, that is the Law of *Morimain*, a
 Law meerly Politicall to restrain men from
 giving Lands to the Church without *Li-*
cence. Of this I said there are found like
 Lawes to it in *Germany, Poland, France,*
Spain, Italy, Sicily, and *Padre Paolo* addeth in
 the

the *Papacy it self*. What an Adversary have I to deale with, who either understandeth not what the Law of *Morimain* is, or regardeth not how he falsifieth his Adversaries words?

But from these mistaken and mishaped premisses he draweth ten Conclusions every one of them driving me to a Contradiction or Absurdity at least. The first second third and fourth are the same in effect or all comprehended in the first, that it is *opposite to the generall opinion of the whole world* (Catholicks, Protestants, Puritans. Secondly that it is *against the profession of the Protestants who extoll that happy time when England was freed from the yoke of Rome*. Thirdly, that it *contradicts our Reformation in the point of the Popes Supremacy*, there could be no Reformation of that which was not otherwise before; and therefore Henry the eighth added something of his own to these ancient Lawes. Fourthly, he saith that Doctor Hammond acknowledges that Papall power was cast out of England in Henry the eighths dayes. And the sixth is, that this Position is particularly opposite to the common consent of the Catholick Countreies, who looked on Henry the eighth and the Church of England ever since as Schismaticall. Doubtlesse he meaneth Roman Catholick Countreies. Was it not enough

say that it was Contrary to the Generall
 opinion of the whole world, unlesse he ad-
 ded Protestants, and Reformers, and *Doctor*
Hammond, and Roman Catholicks, as if
 they were none of the world? Reader, I
 undertooke to prove that Hēry the eighths
 Lawes against the Vsurpations of the Ro-
 man Bishop, were no new Lawes, but an-
 cient Lawes of *England*; I have done it by
 producing the ancient Lawes themselves,
 five or six hundred yeares old: and I am
 yet ready to shew further, that they were
 no new Lawes then, but the Fundamentall
 Lawes of *England*, derived from the first
 founding of the British and English Chur-
 ches, as to the substance of them. To all
 my premisses or *particularities* (as he calleth
 them) he hath been able to answer nothing,
 but leaves them to the Canon and Secular Law-
 yers to scuffle about them: but he utterly de-
 nyeth my Conclusion, what an absurdity
 that is, he is not ignorant.

But alas! what doth the world know of
 the Municipall Lawes of *England*, untill
 we instruct them better? and what Opinion
 can Forreiners have of us, but what they
 learn from him and his Fellowes? We
 acknowledge with *Doctor Hammond*, that
 Papall Vsurpations were cast out of *England*
 in Henry the eighths time: but we adde, not
 by

by the Creation of new Lawes, but by the vigorous execution of the ancient Lawes being first renewed and confirmed by himself. We acknowledge that *Henry* the eighth did finally shake of the yoke of *Rome*, which could not have been done, if there had been nothing to have been shaken of or reformed: but this doth not hinder but that his Predecessors did attempt to shake it of long before, even at the first appearing of it; yea and did actually shake it of, for a time, in a great part,

His fifth Objection is, that according to me the Lawes made by *Henry* the eighth, did not more then the former Lawes. Where did I say so? untill he is able to shew it me, (which I shall expect at the Greek Calends, I shall score it up among his lesser Falsifications. And for his inference which he makes, that *he* never heard it pretended, that *they* did shake of the Roman yoke in part, or for a time, therefore they did it not; it sheweth but his ignorance in the Lawes and histories of his native Country. If he had perused them diligently, he might have observed how the Court of *Rome* and Crown of *England*, were long upon their Gards watching one another; and the one or the other gained or lost mutually, according to the Vigour of the

by the present Kings or Popes, or according to the exigence of the times.

His seventh Objection, that *the like Lawes to ours in England were made in the Papacy it self,* but those could not be against the Popes Headship of the Church: and his tenth Objection that then there never was a *Papist Country in the world, because equivalent Lawes to ours were made in France Spaine Italy Sicily Gormany Poland, &c:* and his answer to my demand [what law full Iurisdiction could remaine to the Pope in England, where such and such Lawes had force?] *The same that remains still to him in France Spaine Italy where the like lawes are in force,* in his last paragraph; are a dish of unflavoury mushrooms, all sprung up from his own negligent mistake or wilfull Falsification (let him chuse whether he will) in confounding the *Vind.pa* Lawes of *Morimain* with the other La- 71.
 wes against the Popes Vsurpations; Which I distinguished exactly both at *Vind.pa* the beginning of that discourse [the Sta- 74.
 tute of *Morimain* justified] and at the Conclusion [*But to leave this Digression.*]
 But besydes this grosse error, there want not other inconsequences and fallacies in his discourse; as in his seventh Objection from the Popes particular Head-

Headship of his own Church, to an Universal Headship over the Chatholick Church, and from an Headship of order to a Monarchicall Headship of power; and in his tenth Objection from [like lawes] to the same Lawes, from Lawes made to Lawes duely observed. We had Lawes made against Non-conformists in *England* will he conclude thence that we have no Non-conformists in England? the Argument would hold better the Contrary way, *Ex malis moribus bona leges*. And in his last Paragraph, from Coactive Iurisdiction in the Exteriour Court to Iurisdiction purely Spirituall in the Court of Conscience; and from Coactive Iurisdiction with the leave of the Prince to the same without Leave. Wee see all Roman Catholick Countries doe stint the Popes Coactive Iurisdiction over their Subjects more or lesse, according to their severall Liberties, which they could not doe at all, if he held it by Christs own Ordination.

His eighth Objection, that upon this new Law made by Henry the eighth, *England stood at another distance then formerly from Rome*; is a Fallacy *non causa pro causa*, when a false cause is assigned for a true cause. Our just Lawes are not the right cause of our distance

distance from *Rome* : but the Popes unjust Censures, and that Character which some of our Countrymen give of us. But this distance is greater among the Populacy then between the Estates, who do not much regard the Popes Censures either in making or observing of Leagues.

To his ninth Objection in his order, and this last in my order, that this *Position* takes away the *Question*, and makes all the Controversists in England on both sides talke in the aire, because it makes the *Pope* to have had no Authority there to be cast out. I answer, I wish it did, but it doth not. The *Pope* had Authority there, and Authority usurped fit to be cast out, notwithstanding our former good Lawes. But yet I must confesse this *Position* doth much change the *Question*, from spirituall Jurisdiction in the inner Court to Coactive Jurisdiction in the exterior Court, and makes him and many other such Controversists talk in the aire, who dispute onely about Headships and First Moverships, when the true Controversy lieth in point of Interest and profit.

Sett,

Sect. 4.

That the Britannick Churches were ever exempted from forreign Iurisdiction, for the first six hundred years, and so ought to continue.

After I had shewed the Equality of the Apostles, except onely a Priority of Order; and that the Supremacy of power did not rest in any single Apostolicall College; that Nationall Patriarchs were the highest Order constituted by the Apostle in the Church; and how some Patriarchs came to be advanced above others, with the true dignity or Preheminence of Apostolicall Churches: the summe of all the rest of this Section might be reduced to a Syllogisme.

Those Churches which were exempted from all forrain Iurisdiction for the first 600 years, cannot be subjected to any forrain Iurisdiction for the future against their own wills.

But all the Britannick Churches were ever exempted from forrain Iurisdiction for the first six hundred yeares.

The Major Proposition was proved by me undeniably, out of the first Generall Councell of *Ephesus*; to which *Mr. Serjeant* hath objected nothing. Next I proved the Minor. First by Prescription. *Affirmanti incumbit probatio*; The burthen of the prooffe in Law resteth upon the Affirmer: but they are not able to shew so much as one single Act of Iurisdiction, which ever any Bishop of *Rome* did in Brittain for the first six hundred yeares. Secondly, I proved it from the Antiquity of the Britannick Church, which was ancientser than the Roman it self, and therefore could not be subiect, to the *Romā from the beginning*. Thirdly, because the Britannick Churches sided with the Eastern Churches against the Roman, and therefore were not subiect to the Roman. Fourthly, because they had their Ordinations ordinarily at home, which is an infallible sign of a free Church subiect to no Forreign Iurisdiction. Lastly because they renounced all Subjection to the Bishop of *Rome*. I am forced to repeat thus much to let the Reader see the contexture of my discourse, which *Mr. Serjeant* doth whatsoever he can to conceal, or at least to confound and disjoint.

Out

Vind. pa
24.

Out of this he picketh here and there what he pleaseth, First he pleadeth *that no Title is the Vindication of the Church of England; but the Church of England can derive no title from the Britannick or Scottish Churches*. He never read or quite forgetteth the State of the Questio. I will help his memory. Let him read the Vindication [by the Church of England we understand not the English Nation alone, but the *English* dominion including the British and Scottish or Irish Christians]. So at unawares he hath yielded the Bishopricks of *Chester, Hereford, Worcester* (for all these were Suffragans to *Carleon*), *Wales, Cornwall, Ireland, Scotland* with all the adjacent Ilands, that is to say two third parts of the English Dominion.

Secondly, he pleadeth *that for this many hundred yeares they acknowledged the Popes Authority as well as the Church of England*. In answer, that this will doe him no good nor satisfy the Generall Councell of *Ephesus* at all, which hath decreed expressely in the call of the Cyprian Prelates, and they Command the same to be observed in all Provinces that no Bishop occupy another Province, which formerly and from the beginning was not under the power of him or his Predecessors, and if any

occupy another Province (that in this case) *Concil.*
 to restore it, that the Canons of the Fa- *Ephes.*
 bers be not sleighted. But they who never ex- *part 1:*
 cited one Act of Jurisdiction in the Brittan- *Act: 7.*
 ick Iland for the first 600 years, cannot
 pretend that it was under their power, in
 the time of the Councell of *Ephesus* or long
 after. It was not for nothing that he con-
 fessed the words of the Councell.
 Yet he asketh, *what do the Scots concern the*
Church of Englands Vindication? Do they
 ex? Are not the Scots a part of the Bri-
 tannick Ilands, and so comprehended under
 the name of the Church of *England* in this
 Question? Besides he must know that I
 challenge some Interest among the Irish
 Scots, from whom I derive my Episcopall
 Orders. Against the Irish Ordination
 never any man had any pretense of Excep-
 tion to this Day. The Irish were the an-
 cient and principall Scots, and the Britan-
 nick Scots a Colony derived from them.
 That they are the ancient Scots, who did
 join with the Britons in not submitting to
 the See of Rome, I shall shew him clearly
 from the Authority of *Lawrence*, Successor
 to *S. Austin* in his Archbishoprick, and
 the other English Bishops of that Age, in
 their Letter to the Bishops of Scotland,
 To

To conclude he tooke not onely Care of the
Bede Church collected of the English, but of the
hist. Ec. Inhabitants of Britain, and also of the Scots
lib. 2. who inhabit Ireland, the next Island to Br
ca. 4. tain. For assoone as he knew that their
 and profession in their Country, was li
 that of the Brittons in Britany not Ecclesi
 sticall &c. That is to say not Roman
 He seeth I had some reason not to leave o
 the Scots.

Besides the Britons the Scots and the Irish
 I urged that [the great Kingdomes of Mo
 cia and Northumberland were converted b
 the Scots, and had their Religion and Or
 dination first from the Scots, afterward
 among themselves, without any forrein d
 pendence, and so were as free as the Br
 tons]. He saith *all the force lieth in these words*
 [without any Forrein dependence] *which*
obtrude upon them without any prooffe. His m
 stakes are infinite, my prooffe is Demon
 strative, They who had their first Ordina
 tion from the Scots, and ever after were
 Ordeined among themselves, never had an
 Ordination from the Bishop of Rome, and
 consequently were never subject to the
 Iurisdiction of the Bishop of Rome: For
 is a Maxime in the Law, and is most evi
 dent in the case of the Cyprian Bishops in
 the Councell of Ephesus, that the right o
 Iuri

jurisdiction doth follow the right of Ordination. And if it were not so, yet what man in his right wits could Imagin, that the Scots who were the Converters, should renounce Subjection to the Bishop of Rome themselves, and teach their Converts the Mercians and Northumbrians to submit to the Bishop of Rome

But if I had said no more, but onely that they were without any forrein dependence, it had been enough on my part. It belongeth not to me to prove a Negative, and such a continued Negative as this is: but the burthen of the prooffe resteth wholly upon him, both in reason and Law, to prove his Affirmative, that the Mercians and Northumbrians did depend upon the Bishop of Rome in those dayes, in point of practise, for Ordination and Jurisdiction; which he is not able to doe. What he addeth, that I said *Ordination is nothing at all to Jurisdiction*, is for want of Vnderstanding, because he is not able to distinguish between the right of Ordination, and the Act of Ordeining. We attribute to the Scots the Act of Ordeining, not a Superiour right of Ordination.

In the next place I urged, that [a world of British Christians staid behind among the Saxon Conquerours, every where all over

England, such whom they had no cause to feare for their power Activity or Influence upon others ; which poore Conquered Christians had a right to the just Privileges of their Ancestours]. He would persuade us, First that *all of them or all except some few fled into Wales or Cornwall.* What to do ? To be repacked there as herings ? Or like Camelions to live upon the aire and leave all the rest of the Kingdome desolate ? It was not ten, or twenty, nor a hundred, nor a thousand little Vessells, could bring over Saxons enough with their wives and Children and Servants, to plant the Kingdomes of *England*. We see dayly, that the very Armies of such Conquerours, doe consist for the greater part of Natives, and that it is not their forrain Numbers, but their Military Skill and resolution which gaineth them the Victory. Look upon all the Kingdomes of the world, *Italy*, *Spain*, *France*, *England*, &c. and what are they but mixed Societies, of Forreiners and Natives, Conquerers and Conquered persons, now iucorporated with little or no distinction, by long Tract of time. After the Norman Conquest, hundreds of English inhabited *England* for one Norman. In the beginning of the late Insurrection in *Ireland*

notwithstanding those great numbers which came over daily into *Ireland* and *Scotland* to seeke for Plantations, for thirty or forty yeares together, yet there were ten Irish, or one English and Scotch; and yet we do not find that these Saxon warres were so bloody as the Irish warres, or that either they persecuted the persons of the Britons with Cruelty, or so much as demolished their Churches.

But he supposeth, that if there were any such British Christians, yet they became subject to the Pope. I believe some of them were subject to the Pope as to the Bishop of their Mother Church, and all of them as to the Bishop of an Apostolicall Church, that is, being guided by his grave advise and direction: but I deny that ever the Saxon Bishops were subject to the Pope, as to an absolute Monarch by Christ's own ordination, that the Pope enjoyed the Sovereign Patronage of the Saxon Church, or the supreme Legislative Judiciary or dispensive power over it. This the Saxon Kings and their Bishops under them ever enjoyed, the Britons did before them: and this all which our Kings desire, or we claime of them. If he have any thing to say to this point, let him bring Authorities not words.

He saith, *This is all one as if some few men selling by accident in France, should pretend exemption from the French Lawes, and English Privileges.* Nay, it is cleare contrary, as if some French men comming to Britaine, and planting and propagating there, should expect the British Privileges to their Posterity. So the Saxons planting in Britain, so soone as their Posterity were capable of them by becomming Christians might justly claime the Liberties and Privileges of British Christians.

I said [the Saxon Conquest gave them good title to the Privileges as to the Lawes of the Britons]. He stileth it, *a rare reason*, as if I meant that Ecclesiasticall Jurisdiction, were a thing of that nature to be won by sword. Or rather as if he meant Coactive Jurisdiction in the Exteriour Court, and Jurisdiction purely Spirituall which Christ left unto his Church, is all one. I doe mean that power purely Spirituall is to be won by the Sword: but I believe that exemption from Coactive power in the Exteriour Court is to be won by the sword: So the Scots eased the Archbishop of York of the trouble of a great part of his Province. So just Conquerours may, and doe often change the Externall Policy of the Church for the publick good.

He bids me, shew that the English Bishops
 were impowered by the British Bishops, or else
 I must confesse that they could inherit no Privile-
 ges from them. I can shew him that I my
 self was impowered, and did receive my
 Episcopall Ordination from the ancient
 Scotch Bishops by an uninterrupted Succes-
 sion; And many English Bishops have re-
 ceived their orders mediately, or immediatly,
 from the British Bishops.

I said most truely, that before he can allege
 the Authority of the Councell of Sardica for Ap-
 peales to Rome, he must renounce the divine
 Institution of the Papacy, or at least the divine
 right of the Bishop of Rome to the Papacy:
 because that Canon submitted it to the good plea-
 sure of the Fathers, and grounded it upon the
 Memory of St. Peter, not the Institution of
 Christ. The reason of this Consequence is
 most evident. For the Councell of Sardica
 could not, nor could have submitted that
 which is the Popes right, by Christs own
 Ordination, to the good pleasure of the
 Fathers, whether he should have it or
 not; nor would have assigned their respect
 to the Memorie of Saint Peter, for a
 ground of that for which they had
 the Commandement of Christ: But
 the Councell of Sardica did submit

the Popes right to receive Appeales, to the good pleasure of the Fathers, *Placeine* doth it please you that we honour the memory of St. Peter? Therefore, they did not hold this right of the Pope to receive Appeales, to be due to the Pope by Christs own Ordinance or Commandement: This he is pleased to call, *a flat Falsification of the Councell* there being not a word in it, either concerning Papall power it self or its institution, but concerning Appeales onely. I am grown pretty well acquainted with his Falsifications. Did I say there was any thing in the Councell, concerning the Papacy or Institution of it? If I did, let him tell us where and when, or els it is his own Falsification. But by his own Confession, there is something in the Councell concerning Appeales to the Pope, and this is submitted by the Councell to the good pleasure of the Fathers, and no higher ground assigned for it, then the respect to the Memory of St. Peter: yet this right of receiving Appeales is made by him and all his Partakers, an Essentiall Branch of Papall power. Therefore if he and his Partakers say true, the Councell of Sardica did submit an Essentiall Branch of Papall Power, (or Papall power in part,) to the good pleasure of the Fathers; which is as much

much as to say they held it not to be of divine Institution. By this time I hope he understandeth my meaning better.

He presumeth, that *some British Bishops sate in the Councell of Sardica*; it may be *Athanasius* intimateth as much. He presumeth that they assented to the *Sardican Canon about Appeales*. It may be, or it may not be. I should rather assent to their voting to acquit *Athanasius*, who testifieth of them that they were right to the *Nicene Faith*. But surely among all the Subscribers in the *Sardican Councell*, there is not one British Bishop named. And in the Synodall Letters of the Councell it self, wherein they reckon all the Provinces, *Britain* is not named. But what is the right of receiving Appeales, to an Vniversall Monarchy, or the decree of a Councell, to Christs own Ordination? If we would be contented to abrogate our old Lawes, and give the Bishop of *Rome* leave to execute that power which the *Sardican Fathers* did give him, he would scorn it, and much more their manner of giving it, *Si vobis placet*; if it please you, or of it seem good to your Charity let us honour the *Memory of St. Peter*; as both the Latin and the Greek Edition have it.

Epist. ad Ioviniam,

Concil. Sard. cap. 3.

I said that the Councell of Sardica was no Generall Councell after the Eastern Bishops were departed, not out of any ill will to *Athanasius*, or favour to the *Arrians* (as for *Arrianisme*, the *Sardican Fathers* did no more then the *Nicene* had done before them): but out of another Consideration, because the presence of the five great Patriarchs with their respective Bishops, or at least the greater part of them, was ever more held necessary to the being of a Generall Councell; as *Bellarmino* himself confesseth that the seventh Synod judged the Councell of Constantinople against Images to have been

Bel. de no Generall Councell, because it had not Pa-
Con. triarchs enough. If the Councell of Sardica
li. 1. had been a Generall Councell, why doe
ca. 17. *St. Gregory the great, Isidore and Venerable*
Bede, quite omit it out of the number of Ge-
 nerall Councells? Why did *St. Austin, Aly-*
pius, and the *African Fathers* sleight it? And
 which is more then all this, why doe the
 Eastern Church, not reckon it among their
 seven Generall Councells, nor the western
 Church, among their eight first Generall
 Councells? To conclude, why did the En-
 glish Church, leave the *Sardican Councell*
 out of the number of Generall Coun-
 cells, in the Synod of *Heddesfelde* in the
 yeare

were 680? and embrace onely these for
 generall Councells untill that day, The
 Councell of Nice, the first of *Constantinople*,
 the first of *Ephesus*, the Councell of *Chal-*
cedon and the second of *Chalcedon*? Here he *Apud*
 may see a plain reason, why I say the Coun- *Spelm.*
 cill of *Sardica* was never incorporated into *an. 680.*
 the English Lawes; I would know, whether *p. 169.*
 or I be of the old English Religion in
 this point; The five First Generall Coun-
 cills were incorporated into the Law of
England: but the Councell of *Sardica*
 was none of them, Therefore no Generall
 Councell. I have given him a further ac-
 count concerning this Councell Sect. 1. c. 7.
 which I refer him.
 I said, and I said most truely, that the
 canons of the *Sardican* Councell touching
 appeales were never received in *England*,
 nor incorporated into our English Lawes.
 For prooffe hereof, I bring him an evident
 demonstration out of the Fundamentall
 Law of *England*, as it is recorded in that fa-
 mous *Memorall of Clarendon*: *All Appeales*
in England must proceed regularly from the
Archdeacon to the Bishop, from the Bishop to
the Archbishop, and if the Archbishop
be unable to doe Iustice, the last complaint must
be made to the King, to give Order for redresse.
 Our

Our Ancestours had not so much respect for Pope *Iulius*, nor thought appeales to *Rome* any honour to the Memory of *Peter*.

I said, [the Canon of the Councell *Sardica*, was cōtradicted after by the Gre Councell of *Chalcedon*]. He rejoined that *I neither thought the words worth citing, nor the Canon where the Abrogation of the Sardica Canon is found worth mentioning*. Pardon me I said nothing of Abrogation, but I did say it contradicted it: and for proofof the truth of what I said, take the very words of two Canons of that Councell, *But if a Clerk have a cause against his own Bishop, against another Bishop, let him be iudged at the Synod of the Province: but if a Bishop or Clerke have a Complaint against the Metropolitan of the same Province, let him repair either to the Primate of the Diocesse, or the Synod of the royall City of Constantinople, and let him be iudged there*. Wee see every Primate, that is to say, every Patriarch generall in his own Diocesse or Patriarchate, and the Patriarch of *Constantinople* in particular out of his own Diocesse is equalled by the Councell of *Chalcedon* to the Bishop of *Rome*. The same effect is decreed in the seventeenth Canon

Concil.
Chalc.
par. 2.
Act. 14.
cap. 9.

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that if there shall happen any Difference
concerning the Possessions of the Churches,
shall be lawfull to them who affirm themselves
grieved, to sue before the Holy Synod of the
Province: but if any man be grieved by his
Metropolitan, let him be judged by the Pri-
mate of the Diocesse, or by the holy See of Con-
stantinople.

I have read those silly Evasions, which
your greatest Schollars are forced to make
of, for answer to these downright Ca-
nons. Sometimes by Primate of the Dio-
cesse (which signifieth all Patriarchs) they
understand the Pope. Do men use such im-
proper expressions, which no man can un-
derstand, in penning of Lawes? Is it not
a great Condescension for the Visible Mo-
narch of all Christendome, to stoupe to so
mean a Title as the Primate of one single
Diocesse. But alas, it will do him no good!
For if it were taken in this sense, it were the
most unjust Canon in the world, to deprive
all Patriarchs of their Patriarchall Jurisdi-
ction, except the Patriarch of Rome and
Constantinople. The Councell which is so
carefull to preserve the Bishop his right, and
the Metropolitan his right, could not be
so carelesse to destroy Patriarchall right; or
the Patriarchs themselves, who were pre-
sent

sent at the making of this Canon, so stupid
to joine in it.

At other times they tell us that this is to
be understood onely of the first Instance
not of Appeales. This is weaker and weaker.
What hath a Metropolitan to doe
with private causes of the first instance, out
of his own Bishoprick? What have the
Patriarchs of *Rome* and *Constantinople* to doe
to Iudge causes of the first Instance in
other Patriarchates? The case is cleare:
any man be grieved by his Bishop he may
appeale to his Metropolitan and a Synod
and if any man be grieved by his Metro-
politan he may appeale to his Patriarch.
And if this absurd sēse (which they Imagine
were true, yet the Bishop of *Constantinople*
might receive Appeales, from all parts of
the world, as well as the Bishop of *Rome*.
Let them winde, and wrest, and turn things
as they can, they shall never be able to
concile the Papall Pretensions, with the
Councell of *Chalcedon*.

I have neither changed my mind nor
my note, concerning *Eleutherius* his Letter
to King *Lucius*; I did, I doe esteem it to be of
dubious Faith. So much I intimated [if it be
not counterfeit]. So much he intimated [as
much as we have Records in our Histories]

is it necessary with him to inculcate the
 same doubt over and over, so often as we
 may take occasion? Thus far then we are
 of accord: but in the rest we differ wholly.
 He is positive, as much as we have Records, *Down*
 the Popes Authority doth appeare: I am as *Derry*
 positive, as much as we have Records, the *p. 133.*
 Kings Authority doth appeare. For if those
 Records be true, *Eleutherius* left the Le-
 gislative part to King *Lucius* and his Bi-
 shops. This was enough to answer him.

He addeth, *though our Faith relieb on im-
 mediate Tradition for its certain Rule and not
 upon Fragments of old Authors*, that is in
 plain English, upon his bare word with-
 out any Authority. How should a man
 prove ancient Tradition but by Authors?
 Yet after all this flourish, he produceth us
 not one old Author but *St. Prosper*, a stranger
 to our affaires, and him to no purpose: who
 saith onely what he heard in *Italy*, That
 Pope *Celestine* sent *St. German* in his own
 stead to free the *Britons* from *Pelagisme*,
 and converted the *Scots* by *Palladius*. If all
 this were as true as Gospell, it signifieth just
 nothing. I have shewed formerly that there
 is no Act of Jurisdiction in it, but onely of
 the Key of Knowledge. He rejoineth, that he
 relied on these words [*vice sua*] in his own stead,
 which

which sheweth that it belonged to his Office to do it. Why should it not? The Key of Ordination belongeth to a Bishop, as well as the Key of Jurisdiction: And more especially to the Bishop of an Apostolicall Church, as Pope Celestine was, and in such a case as that was (the Pelagian Controversy) to testify the Apostolicall Tradition; he was bound by his Office to do it, and he trusted S. German to do it in his place. All this is nothing to the purpose; there is no Act of Jurisdiction in the Case, but of Charity and Devotion. Yet if it were not altogether impertinent to the purpose we have in hand, I should shew him that there is ten times better ground to believe that it was done by a French Synod, then by Pope Celestine, not out of an obscure Author, but out of Authentick undoubted Histories; as *Constantinus* in the Life of S. German, *Venerable Bede*, *Mathew Westminster* and many others. Is it not strange, that they being so much provoked, are not able to produce a proofe of one Papall Act of Jurisdiction done in Britain for the first six hundred years?

Here he catcheth hold at a saying of mine, which he understandeth no more then the Man in the Moone, that [all other rights of Jurisdiction, doe follow the right of

Ordination] which he taketh as though I
 want to make Ordination it self to be an
 of Iurisdiction, though I deny it and
 distinguish it from it. To make the Rea-
 son understood it, we must distinguish
 between a full Ordination, and a right to
 Ordaine. Actuell Ordination, where there
 is no precedent Obligation for that per-
 son to be ordeined, by that Bishop, doth
 imply no Iurisdiction at all: but if there was
 a precedent right in the Ordeiner to ordein
 that man, and a precedent Obligation in
 the person Ordeined to be ordeined by that
 Bishop, then it doth imply all manner of
 Iurisdiction, suitable to the Quality of the
 Ordeiner; as if he were a Patriarch all Pa-
 triarchall Iurisdiction, if he were a Metro-
 politan all Metropolitall Iurisdiction, if
 he were a Bishop all Episcopall Iurisdic-
 tion. And the Inference holdeth like-
 wise on the Contrary side, that where there
 is no right precedent to Ordein, nor Oblig-
 ation to be ordeined, there is no Iurisdic-
 tion followeth: but I shewed out of our
 Histories, and out of the Roman Re-
 corders so far as they are set down by *Plati-*
nus that the Bishop of Rome had no right to
 Ordein our British Primates, but that they
 were ordeined at home; and therefore
 the

the Bishop of *Rome* could have no jurisdiction over them.

I said no more of *Phocas* but this, that [Popes pretēses were more from *Phocas* than *St. Peter*.] He referreth me to his answer *Doctor Hammond*. And I refer him to *Doctor Hammond* for a reply, as Impertinent to my present businesse.

Pa. 1.
Sect. 6.

When I did first apply my thoughts to this sad Meditation upon this Subject, I confessed ingenuously, that which gave me most trouble was to satisfy my self fully about the Popes Patriarchate: but in conclusion, that which had been a cause of my trouble, proved a meanes of my final satisfaction. For seeing it is generally confessed that the Bishop of *Rome* was a Patriarch, I concluded that he could not be a Spirituall Monarch. The reasons of this Resolution I have set down, and receive no answer: Yet it shall not seem irksome to me to repeat them, as desiring nothing but the discovery of the truth. First I argue that The Sovereign Government and the Subordinate Government, of the same person or the same Society, or body Politick or Ecclesiastick, is inconsistent: But the Popes pretended Monarchy or Supremacy is a power over the whole Church, and his Patriarch

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Patriarchall Dignity in the same Church, are
 Sovereign and Subordinate Government
 of the same person in the same body Eccle-
 siastick. The reason of the Major is be-
 cause Sovereign power is single of one per-
 son or Society : but this subordinate power
 is conjoint of fellow Patriarchs. Sovereign
 Power is Vniverfall, but this subordinate
 power is particular. And therefore as a
 Quadrangle cannot be a Triangle, nor a
 King a Sherif of a Shire or a President of a
 Province within his own Kingdome : so
 neither can the same person be an Vniverfall
 Monarch and a particular Patriarch.

Secondly, the Spirituall Sovereignty of
 the Roman Bishop is pretended to be by
 divine right, his Patriarchall power is con-
 fessedly by humane right : but a Spirituall
 Sovereignty by divine right and an infe-
 rior dignity by humane right are incon-
 sistent. As it is absurd to say that God
 should make a man a Prince, and after the
 people make him a Peer : or God should
 give him a Greater Dignity, and after-
 wards the people cōferre a lesse upon him.
 Thirdly, a Sovereignty above the Canōs,
 besides the Canons, against the Canons, to
 make them, to abrogate them, to suspend
 them with a *Non obstante*, to dispense with
 them at pleasure, where the Canon gives

no dispensative power . and a Subjection to the Canons to be able to do nothing against them are inconsistent: But such a Sovereign Power is above the Canons, and such a Patriarchall power is subject to the Canons Therefore they are inconsistent.

All the answer he offereth to these two Instances ; the one that *Bishop Vsher was once Bishop of Armagh, and as such the Bishop of Derries superiour*. I answer, first he mistaketh much, The Primacy of *Ireland* and the Archbishoprick of *Armagh* are not two distinct dignities, but one and the self same dignitie: but the Monarchicall power of the Pope by divine right, and his Patriarchall power by Humane right, are two distinct dignities. Secondly, the Primacy of *Ireland* is not indowed with Monarchicall power ; but all the difficulty here lieth in the Conjunction of Monarchicall power and Subordinate power. His other Instance, *must a person leave of to be Master of his own Family, because he is made King, and his Authority extendeth over all England*. I answer, first his Argument is a transiion to another kind, or an excursion from one kind of power to another ; from Political power in the Commonwealth to an Oeconomical power in the Family. Secondly, it is one thing to make an inferiour person

a King, and another thing to make a King
 a Constable, or to make Sovereignty and
 Subordination consist together. When a
 King doth discharge the place of a Gene-
 rall of an Army he acquireth no new dig-
 nity or power or place, no man calleth him
 my lord Generall; but he doth it as a King
 by his Kingly power, to which no higher
 or larger power can be added: but the Bis-
 hop of *Rome* did not, doth not exercise
 Patriarchall power, by virtue of his Mo-
 narchy by divine Ordination, but by hu-
 mane right; first by Custome or prescrip-
 tion, and then by authority of the Coun-
 cill of *Nice*. All the world seeth and ac-
 knowledgeth that the Bishop of *Rome* hath
 more power in his Bishoprick then he hath
 out of it in the rest of his Province; ad more
 power in his Province, then he hath out
 of it in his Patriarchate, and more power
 in his own Patriarchate, then he hath in
 anothers Patriarchate: but if he had a So-
 verignty of Power and Iurisdiction by
 Christs own Ordination, he should have
 the same power every where; if he had a
 Sovereignty of Power and Iurisdiction by
 Christs own Ordination, then all Patri-
 archall power should flow from him, as
 from the Originall Fountain of all Ecclesia-
 sticall honour. But the Contrary is most

apparent, that all the Patriarchs, even the Roman himself, did owe their Patriarchall power to the Customes of the Church, and Canons of the Fathers. These are the reasons why I conceive Monarchicall Power and Patriarchall power, to be inconsistent in one and the same persō: But the Pope was cōfessedly a Patriarch, therefore no Monarch.

The next thing which cometh to be observed, is his Exceptiōs to *Dionisius* the learned Abbat of *Bangor* his answer to *Austin*, professing Canonically Obedience to the Archbishop of *Caerleō* in his own name and the name of the British Church, and disclaiming all Obediēce except of Brotherly love, to the Bishop of *Rome*. His first exception was the naming of the Bishop of *Rome* [Pope] without any Addition of Name or place, contrary to the use of those times. For answer I committed him and his Friend *Bellarmino* together, Who

Bell. li. the word Pope is put alone the Bishop of Rome only
2. de is to be understood, as appeareth out of the Councell
Rom. of Chalcedon [the most blessed and Apostolicall]
Pont. call man the Pope doth command us this, [without]
cap. 31. adding Leo or Rome or the City of Rome or any
 other thing. He sleighteth *Bellarmino* and rebuketh
 me for folly, to think that Catholick writers cannot disagree, and answereth the
 Councell that though the word [Pope] be alone
 without Addition, Yet which is equivalent, the

Comitant Circumstances sufficiently indigitate the person. For the words were spokē by Boniface the Popes Vicegerent. As if there were not the same indigitating Circūstances here as well as there, the words being spoken by *Austin* the Popes Legate and Vicar as well as *Boniface*, in the name of Pope *Gregory* to the Britons, which were answered here by *Dinorh*.

His second exception to *Dinorhs* Testimony is, that there was no such Bishoprick as *Caerleon* in those dayes, the See being removed from *Caerleon* to *Menevia* or *S. David*, fifty yeares before this. That it was removed before this I acknowledge, but how long before this is uncertain. Some Authors make *S. Gregory* and *S. David*, to have died on one Day some years after this meeting. And it is an usuall thing for Bishopricks to have two names, as the Bishoprick of *Offory* and *Kilkenny* is the same Bishoprick: The Bishoprick of *Kerry* and *Ardferri* is the same Bishoprick: The See of *Derry* was long removed from *Ardstrath* to *Derry*, before it was commonly called the Bishoprick of *Derry*; and so was *Lindesfern* to *Durham*. I produced two witnesses for this very Place of *Caerleon*, that it still retained the old name. The one the British History, *Then died David the most holy Archbishop of Caerleon in the City of Menevia.* And yet it is thought,

that the first removall of the See was made by *Dubrius* to *Landaff*, and after from *Landaffe* to *Menevia* by *St. David*, at whose death it was itiled the Archbishoprick of *Caerleon*. The other witneſſe was *Geraldus Cambrenſis*, we had at *Menevia* five and twenty Archbishops of *Caerleon* ſucceſſively whereof *St. David* was the Firſt. He takes no notice of the firſt Teſtimony, and puffes at the
p. 504. ſecond and ſleights it: but answereth nothing Materiall, but that which will cut the throat of his cauſe, *Had Caerleons Archbishops* (ſaith he) *onely for ſome conveniency reſided at Menevia*, and the right of *Juriſdiction* ſtill belonged to *Caerleon*, it might more eaſily be conceived faſible. Take notice then that the Bishops of *Caerleon* did remove from a populous City in thoſe dayes, (as *Caerlegion* or the City of the Roman Legion was to *Menevia* onely for the conveniency of ſolitary life and contemplative devotion and it is more then probable that the active part of his *Juriſdiction* was ſtill executed at *Caerleon*. The See is changed ſo ſoon as the Church is builded: but the City will require longer time, to be fitted for Inhabitants and furniſhed. All that he oppoſeth to this, is that it was ordinarily called the *Bishoprick of Menevia*. Who doubteth

it? but that doth not prove that it was not
 also called *Caerleon*. It was First the Bi-
 shoprick of *Caerleon* alone, then the Bi-
 shoprick of *Caerleon* or *Menevia* indiffe-
 rently, afterward the Bishoprick of *Mene-
 via* or *St. Davids* indifferently, and now
 the Bishoprick of *St. Davids* onely. He
 carpeth at the name of *Caerleon* upon *Vske*.
 Why so? why not as well *Caerleon* upon
Vske, as *Kingston* upon *Hull*, or *Newark*
 upon *Trent*, or *Newcastle* upon *Tine*? Where
 there are severall Cities of one name, as
 there were *Caerlegions* or Cities of Ro-
 man Legions in Brittain, it is ever usuall to
 give them such a marck of Distinction.

But why doth he wrangle about names
 and persecute an innocent paper after this
 manner? The thing is sure enough, that
 there was one *Dinoth* a learned Abbat of
Bangor at that time, who did oppose *Au-
 stin*, and stand for the Inrisdiction of his
 own Archbishop of *Caerleon* or *Menevia*,
 chue you whether. Thus much he him-
 self acknowledgeth in this very Para-
 graph, citing out of *Pisens*, a booke of
 this very *Dinoths*, the title whereof was
Defensorium Iurisdictionis Sedis Menevensis; an
Apology for the Inrisdictio, of the See of Menevia. p. 544.

And against whom should this Apology be,
but against *Austin* and the *Romans*? no men
els did oppose the Jurisdiction of the Bi-

Bede shop of *Menevia*: With this agreeth that
Eccl. of *Venerable Bede*, That *Austin* by the help
Hist. l. of King *Ethelbert*, called to a Conference (or
2. c. 2. Councell) the *Bishops* and *Doctors* of the great-
est and nearest *Province* of the *Britons*; and be-
gan to perswade them with brotherly *Admonitions*
to hold *Catholick* peace with him, to undertake
the *Common* work of preaching to the *Pagans*
for they observed not *Easter* in due time, and did
many other things contrary to the *Unity* of the
Church. The end of this first Assembly was
They would give no assent, neither to the prayer
nor exhortations, nor reprehensions of *Austin*
and his fellowes, but preferred their own *Tradi-*
tions before all others throughout the *Church*.
And among all their *Traditions*, there
was none which they held more tenaci-
ously, then this inserted in this Manuscript
that is the *Independent* Jurisdiction of the
British *Primate*, which they never deser-
ted till after the *Norman* Conquest. To
maintaine the *Independence* of their own
Primate, is as much as to disclaime obedi-
ence to the *Pope*.

But this is clearer in their resolution af-
ter the second Synod, whereat were secured

British Bishops and very many learned men, especially of the most noble Monastery of Bāgor, whereof that time Dinoth was Abbat; who gave this finall answer to Austins three demands, mentioned here by Mr. Serjeant, *At illi nihil horum se facituros, neque illum Archiepiscopo habituos esse respondebant:* They answered they would do none of them, nor hold him for an Archbishop. Here wee see Dinoth was Abbat at that time; Dinoth was present at that Councell, and all the Britons did not onely reject those three propositions (which he acknowledgeth): but did moreover in renouncing Austin, disclaime St. Gregories Authority over them, whose Legate he was: What is this lesse then Dinoths Manuscript?

The authour of the old British History called *Brutus*, relateth this answer of the Britons thus; *Se Caerleonensi Archiepiscopo obedire voluisse, Augustino autem Romano Legato omnino noluisse:* That they would obey the Archbishop of Caerleon but they would not obey Austin the Roman Legate. Here he hath expresse testimony of their adhering to their British Pimate, and their renouncing Papall Authority, and lastly of the very name of the Archbishop of Caerleon at that day.

To

To the same purpose *Grains* in *Scala Cr*
ca, and *Grocelinus* in his greater *Histo*
 are cited by *Cains de Antiqui: Acad. Ca*
tab.

De Orig
& gest.
Brit. li.
8. ca. 4.

With them agreeth *Geoffry of Monmo*
 who saith there were at least one and two
 hundred Monkes in the Monastery of Bangor
 who did all live by the Labour of their own hands
 and their Abbot was called *Dinoth*, mar-
 v'ously learned in the liberall Arts, who shew'd
 to *Austin* (requiring subjection from the British
 Bishops, and perswading them to undertake
 with him the Common labour of preaching,) by
 diverse reasons, that they did owe him no Subje-
 ction, nor to preach to their enemies. Seeing
 they had an Arch prelate of their own &c. And
 little after, *Ethelbert* King of the Kentishmen
 when he see the Britons did disdain to subje-
 ct themselves to *Austin*, and to despise his pre-
 ching, stirred up the Saxon Kings to collect
 great Army against Bangor, to destroy *Dinoth*
 the Abbat, and the other Clerkes of that Mo-
 nastery, who had despised *Austin*. This is the
 very same in effect with *Dinoth's* Welsh ma-
 nuscript: and therefore it was no Welsh Bo-
 lad first made in *Edward the sixth's* time, by some
 English Schoolmaister to teach Welsh boys En-
 glish, as *Mr. Serjeant Vapoureth*.

With him agreeth *Giraldus Cambrensis*

B

yet alwaies unill, Wales, was fully sub *Ilin:*
 which was done by Henry the first King of Camb.l.
 English, the Bishops of Wales were conse- 2.c. 1.
 rated by the Archbishop of Menevia. And
 (the Archbishop of Menevia) in like man-
 ner was consecrated by others, as being his Suf-
 fragans, without making any Profession of Sub-
 jection at all to another Church. They all
 agree in this, the Britons were *αὐτὴν ἑαυτοῖς*
 and *αὐτὴν ἑαυτοῖς*, all waies ordained at
 home, independent upon any forrain Pre-
 late, ought no subjection to Rome. And *Bede Ec*
 herefore it is no great wonder, if Pope *Hist. l.*
 Gregory did not know when he was the fa- 2.c. 1.
 vorite both of the Pope and people, not
 long before his own promotion to the Pa-
 pacy, whether the Ilanders of Britain were
 Pagans or Christians.

To the same purpose speaketh *Nicolas*
Crever, who having commended this *Di-*
scourse for a learned and a prudent man, he
 addeth, that *Austin* meeting him did demand
 that they should performe subjection to him, as a
 Legate sent into this Land by the Pope and Cour-
 t of Rome; and demanded further that he would
 help him in preaching: but he denied the one and
 the other. Still Subjection is denied. With
 these, *Baleus* writing of *Dinoth* and the life
 of *Austin* in *Sr. Henry Spellman*, and all our
 Antiquaries doe agree exactly. And none
 of

of our Historiographers that I know, & disagree from it in the least, who write up that subject, though some set it down more fully then others. Judge now Reader *Mr. Serjeants* Knowledge or Ingenuity who telleth the so Confidently that *there* of Subjection never came into play: and when I said the British Clergy, did renounce obediēce to the Bishop of Rome, citing [Bede and all others], telleth me so confidently that *I belied Bede and all our Historiographers at once.* I challenge him to name but one Historiographer, who affirmeth the contrary to that which all these doe affirm: If he be not able (as he is not) I might safely without asking him leave, that it strike him *Question dead.*

His third Exception, that it appeareth that *St. Henry Spellman* found any other Antiquity in that *Welsh Manuscript* worth mentioning, is so dull and insignificant a piece that I will neither trouble myself nor the Reader with it. And such like are the other Objections, which he presseth not but toucheth gently: the Heads of them will not merit a repetition, having been answered already by Doctor Hammond.

But when he is baffled in the cause, ha

a Reserve, that *Venerable Bede*, and
Alar, and *Fox* in his *Acts* and *Monuments*,
 brand the Britons for wicked men, ma-
 king them as good as *Atheists*: Of which *Gangif*
Dinoth were one, he will neither wish the *Pope*
 his Friends, nor envy them to the *Protestants*.
 What needed this, when he hath got the
 worst of the cause, to revenge himself like
Vence with a stinke? We read no other
 character of *Dinoth*, but as of a pious lear-
 ned and prudent man. If *Gildas*, or *Bede*
 have spoken any thing to the prejudice of
 the Britons, it was not intended against the
 whole Nation but against particular per-
 sons. There were *St. Davids*, *St. Dubricius's*
Toelans's *St. Oudoceus's* and *Dinoth's* as well
 as such persons as are intended by *Gildas* or
Beda. What have they said more of the *Bri-*
tons, then God himself and his Prophets have
 spoken of his own people, or more then the
 Nations have said one of another, or more
 then may be retorted upon any Nation in *Eu-*
rope? Have *Gildas* or *Beda* said more of the
 Britons, then *St. Bernard* and others have said
 of the *Irish*? and yet *Ireland* was deservedly
 called the Island of Saints. The Question
 whether the British Church, did ever
 acknowledge any Subjection to the Bishop
 of *Rome*. Let him adorn this *Sparta*, and
 have other impertinencies.

*That the King and Church of England
had sufficient Authority to with-
drawe their obedience from Rome*

The sixth Chapter of my Vindication comprehended my fourth ground consisting of these three particulars. That the King and Church of England had sufficient Authority to reform the Church of England. That they had sufficient Grounds for doing it, And that they did it with due moderation. His Rejoinder to this my fourth ground is divided into three Sections, whereof this is the first. Whatsoever he pretteth in this Section of my *shuffling away the whole Question*, by balking the Bishop of Romes divine right to his Sovereignty and power, to treat of his Patriarchall right which is humane; is first vain, For I alwayes was and still am ready to joine Issue with him concerning the Bishop of Romes divine right to a Monarchicall power in the Church; saving alwaies to myself and my cause this advantage, That a Monarchy and a Patriarchate of the same person in the same Body Ecclesiasticall are inconsistent. And this right being saved, I shall

are willingly join issue with him about
 the Popes Monarchy, then about his Patri-
 archate. Secondly as it is vaine, so it is
 altogether impertinent, for my Ground is
 this, that a Sovereign Prince hath power
 within his own Dominions for the publick
 good, to change any thing in the externall
 Regiment of the Church, which is not of
 divine Institution: but the Popes pretended
 Patronage of the English Church, and his
 legislative Judiciary and dispensative pow-
 er, in the exterior Courts of the same
 Church, doe concern the externall Regi-
 ment of the Church, and are not of divine
 Institution. Here the Hinde of our Con-
 versy doth move, without encombring
 ourselves at all with Patriarchall Authority.
 Thirdly I say, that this discourse is not onely
 true and extravagant, but is likewise false;
 the Popes Protopatriarchall power, and
 the Authority of a Bishop of an Aposto-
 licall Church as the keeper of Apostolicall
 traditions deposited in that Church, are
 the fairest flowers in his Garland. What-
 ever power he pretendeth to, over the
 whole Church of Christ, above a Primacy
 of Order, is altogether of humane right; and
 the Application of that Primacy to the Bi-
 shop of Rome is altogether of humane right.
 And

And whatsoever he presumeth of the Vniversall Tradition of the Christian Church, or the Notion which the former and present world, and we our selves before the Reformation had of the Papacy, that is, of the Divine right of the Popes Sovereignty, is but bold, ratling, groundlesse bragge. I doe and doe affirm, that the Pope hath quite lost his Patriarchall power above a thousand years since; not explicitly, by making a formall Resignation of it, but implicitly by assuming to himself a power which is inconsistent with it.

I was contented to forbear further disputing about Patriarchall rights, upon two Conditions; one that he should not presume that the Pope is a Spirituall Monarch, without proving it. The other that he should not attempt to make Patriarchall Privileges, to be Royall Prerogatives. This by one of his peculiar Idiorisms he calleth *Bribing of me*. If he had had much Civility in him, he might rather have interpreted it a gentle forewarning of him, of two Errours which was sure he would Commit. After all his Bravadoes, all that he hath pretended to prove, is but a *Headship*, a *First Movership*, a *Chief Governourship*, about which we have

no Difference with them; and all the prooffe
 bringeth even of that, is a bold presumption
 that there is such an immediate Tradition.
 There is not so much as a Nationall
 Tradition, for those Branches of Papall
 Power which we have rejected, and much
 less for the divine right of them. And if
 there were such a Particular Tradition, yet
 wanting both perpetuity and Univerfality,
 we deny that it is a fufficient prooffe
 of any right. This and the Privilege to
 receive Appeals, which is a Protopa-
 triarchall Privilege, is all he produ-
 ceth.

If he would know what a Spirituall
 Monarch is, let him consult with *San-
 ctors de Visibili Monarchia*, and *Bel-
 larmine* in his first booke *de Pontifice Ro-
 mano*. But he is quite out of his aime, who
 knoweth no meane between a *flat Tyrant*
 and an *Ordinary Chief Governour*. Vpon these
 termes a President of a Councell, a Mai-
 ster of a College, a Major of a Corporation
 should be so many Monarchs. I have
 shewed him what are those Branches of
 Soveraign Monarchicall Power which the
 Popes have Vsurped, and when each Vsurpa-
 tion did begin, (the first of the about 1100.
 yeares after Christ,) with the Opposition

that was made unto them by the King and Kingdome of *England*. If he will speake to the purpose, let him speake to these in particular, and trouble us no more with his Chief Governourships, or hold his peace for ever. All the Controversy between them and us is in point of Interest, and the Externall Regiment of the Church, which is due to every Christian Sovereigne in his own Kingdome. It is not we, but they who have changed their Governour.

He would faine perswade us if he could that no Catholick will believe that a Patriarch is dependent on a King in Ecclesiasticall affaires yet he himself hath confessed formerly that they hold that every good King is to take
 Sect. 3. Order to see Ecclesiasticall Grievances remedied
 pa. 525 and the Canons of the Church observed. The Patriarchs are not altogether independent upon Kings in Ecclesiasticall affaires, if King be bound to see that a Patriarch execute the Canons, and see Patriarchall Grievances remedied. Sovereign Princes have founded Patriarchates, and confirmed Patriarchates, and conferred Patriarchates and taken away Patriarchates, still here some dependence. Gregory the Great was a Patriarch and a Pope: yet he acknowledged, that he ought due Subjection to the Law

of Mauritius in an Ecclesiasticall affaire;
 being subject to your Command have transmit-
 ted your Law to be published, through diverse
 parts of the world: And because the Law it self
 was pleasing to Almighty God, I have expres-
 sed my Opinion thereof to my Lords. Where-
 in I have performed my duty on both sides, in
 giving Obedience to the Emperour, and not con-
 sidering what I thought for God. But Mr. Serjeants
 is silly beyōd all degrees of cōparisō;
 otherwise St. Peter could not preach at Rome
 where Nero were a King, nor St. Iames at Hie-
 rusalem without unkinging Herod. See what a
 mighty Argument he hath brought, Apo-
 stles, or Patriarchs, or Bishops, or Priests
 may perform the Ordinance of Christ, not-
 withstanding the Prohibition of Pagan
 Emperours and Kings: therefore they are
 independent upon them, and owe no Sub-
 mission or Obedience to any Kings, Chri-
 stian or pagan. Yes Sr. although they owe
 onely passive Obediēce in that, yet they
 owe them active Obedience to their other
 full Commands, even in Ecclesiasticall
 affaires.

But now he saith, he will give me fair Law.
 In the case Papall Government had not been
 Divine, but onely of Humane Institution, yet
 might not to have been rejected, unlesse the abu-

Greg.
 Ep. l. 2.
 Ep. 61.

ses had been irremediable. I allow him to law, and shuffle, and cut, and use what expedient he pleaseth: yet I used but an innocent all to the soaling of a Bowle, and it is the cast in my teeth. But for his *faire law* I to him, I will take no Law from him but what I can win my self. He would be glad with his Heart, to have but a good pretence of Humane Institution, for those Branches of Papall power, which are really controverted between us: but I deny him all manner of Institution both divine and Humane, have shewed that they are but upstart Violations of the Popes themselves, after many years, and wanting lawfull Prescription even in these last ages, which ought to be plucked up as weeds, so soone as they are discovered, and to be removed before any other things, by those who are in Authority.

Ante omnia spoliatus restitui debet. And because he is at us again with his often repeated altogether mistaken case; which henceforward I shall vouchsafe no other answer but passe by it with a *τιδ' ἀπομειβόμεθα*.

Mart.
Ep. l. i.
Epig.
46.

He demanded, *whether I would Condescend to the Rejection of Monarchy, or extirpation of Episcopacy, for the misgovernment of Princes or Prelates*

I answer

answered [No;] We fancy not their Method, who cannot prune a tree except they hack it up root and Branch : but I gave three reasons why this could not advantage his cause. First, never any such abuses as these were objected to Princes or Prelates in *England*; Secondly, we desire not the usurpation of the Papacy, but the reduction of it to the Primitive Constitution. Thirdly; Monarchy and Episcopacy are of divine institution, so is not Papall Sovereignty or Jurisdiction. To the first he saith nothing, but by way of Recrimination, the most ignoble kind of answering, especially when he himself cannot but condemn them in his own Conscience, for notorious violations of Cretian *Minotaur*s : But these abuses which we complain of, are the proper subject of the next Section.

He is here pleased to relate a pretty story of the late Archbishop of *Canterbury*, that confessed himself to be in a Schisme, in a private discourse (I warrant it was private enough, without either witness or parties) and this Author was told by a very grave person, whose Candour he hath no reason to suspect. And why doth this grave person appear as a Vizard without a name, or appear after the parties death, that durst not have said it in his lifetime, and for feare to be detected

now telleth us it was in private? And what all is done, it is ten to one this worthy person (if he be *in rerum natura*) is an utter enemy, and of another Communion. We have had many abominable lies spread abroad in the world, upon the bare Testimony of some such single Adversary; as the Apostacy of Bishop King, the Defection of King Charles, the hopes they had of the Lord of *Sirafford*; when all that knew the Lord of *Sirafford* and that witnesse, knew right well he never did in the presence of any other, nor ever durst offer to him any discourse of that nature.

To the second he answereth, that we have already extirpated the Papacy out of England. No, we have onely cast out seven or eight Branches of Papall Jurisdiction in the exterior Court; which Christ or his Apostles never challenged, never exercised, never meddled withall; which the Church never granted, never disposed. He might still let us enjoy his Protopatrichate, and the dignity of an Apostolicall Bishop, and his Primacy of Order, so long as the Church thought fit to continue it to that See, if this would content him.

To my third reason he excepteth. *If Monarchy be of Divine Institution, the Venetians and the Hollanders are in a sad case.* I am glad
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when I find any thing in him that hath but
 resemblance of matter, more then wind
 and empty words, although they weigh no-
 thing when they come to be examined. The
Americans and *Hollanders* may be in a sad
 Condition, in the Opinion of such rash
 Censurers as himself is, who have learned
 their Theology and Politicks but by the
 values. Who taught him to argue from the
 Position of one lawfull forme of Govern-
 ment, to the Deniall of another? All law-
 full Formes of Government are warranted
 by the Law of Nature, and so have their
 Institution from God in the Law of Nature;
 The Powers that be are ordained of God, whe-
 ther they be Monarchicall, or Aristocra-
 ticall, or Democraticall, Man prepareth
 the Body, God infuseth the Soule of Power,
 which is the same in all Lawfull Formes,

Rom.

13. 1.

But though all lawfull Formes of Go-
 vernment be warranted by the law of nature,
 yet nor all in the same Degree of Eminency.
 There is but one soule in the body, one
 Sun in the heaven, one Maister in a Family,
 and anciently one Monarch in each Society:
 all the first Governours were Kings. The
 soule of Sovereign Power is the same in all
 Formes, but the Organ is more apt to attain
 its end in one Form then another; in Mon-
 archy then in Aristocracy or Democracy.

And

'And we say God and Nature doe alwaies intend that which is best. Thus it is in the Law of Nature, which is warrant sufficient for any form of Government: but in the Positive Law of God, he never instituted or authorised any form but Monarchy.

In the last Paragraph, where I say that the Popes Headship of Iurisdiction, is not of divine Institution, he excepteth, that *it is my bare saying, and my old trick to say over againe the very point in dispute between us.* If this be the *very point in dispute between us* (as it is indeed), it is more shame for him who letteth the *very point in dispute* alone, and never offereth to come neare it, especially having made such lowd bragges, that he would charge the Crime of Schisme upon the Church of England with undeniable Evidence, and prove the Popes Headship of Iurisdiction or Power, by a more ample cleare and continued Title, then any right of Law or Humane Ordinances can offer.

Quid tanto dignum tulit hic promissor hian?

As for my part I know my Obligation, whilst I am upon the defensive to make good my ground: and when it is my turn to assault, I shall discharge my duty. If he have any thing to say to the Huguenots of France, they are at age to answer him themselves; Our Controversy is onely concerning the Church of England Sect.

that the King and Church of England,
had sufficient grounds to separate from
the Court of Rome.

had reason to wonder, not at *our* Grounds
but *their* silence, that having so long, so oft
called for our grounds of Separation, and
charged us, that we have no grounds, that
we could have no grounds, now when
sufficient Grounds are offered to them two
of them one after another should passe
by them in deep silence. And this *Dispatcher*
being called upon for an answer, unlesse he
would have the cause sentenced against him
upon a *Nil dicit*; with more halt then
good speed, gives us an answer and no An-
swer, like the Title of an empty Apothe-
caries Box. If there be any Monster, the
Reader may looke for it on that side, not
on our side. He may promise the View of
this strange Monster in his Antepasts and
Postpasts, and blow his Trumpet *to get pence*
to see it (as he phraseth it) but if the
Readers expect till he shew them any such
fare sight, they may wait untill Dooms-
day, and all the remedy he offers them is,
to say he hath abused them, as he doth often.
Now roome for his Case or his two *Princi-*
ples of Unity, which are evermore called in to
help at a dead lift, But *his case*, is not the true
case

case, and his Rules are leaden Rules, they might be streight at the beginning, but they have bended them according to their self Interest. Both *his case* and *his Principles* have been sufficiently discussed and fully cleared: so that I will not offend the Reader with his sleight dish of Coleworts sodde over and over againe.

He is angry, that I make our separation to be rather *from the Court of Rome*, then *from the Church of Rome*, and stileth it *perfect Impudence*. So my Assertion be evidently true I weigh not his groundlesse Calumnies. Let any man looke upon our Grievances, and the Grounds of our Reformation, 1. the intolerable extortion of the Roman Court, 2. the unjust Vsurpations of the Roman Court, 3. the malignant influence of the Roman Court upon the body politick, 4. the like malignant influence of the Roman Court upon the body Ecclesiastick, 5. and lastly the Violation of ancient Liberties and Exemptions by the Roman Court; and he can not doubt from whence we made our Separation. All our sufferings were from the Roman Court; then why should we seek for ease but where our Shoe did wring us? And our Grievances, so our Reformatiō was once of the Abuses of the Roman Court; The bestowing of prelacies and dignities in

ward to the prejudice of the right patrons ;
 Their Convocating Synods in *England* with-
 out the Kings leave ; Their prohibiting
 English Prelates to make their old Feudall
 Oaths to the King , and obliging them to
 make new Oaths of Fidelity to the Pope ;
 Their imposing and receiving Tents and
 Tithes , and other arbitrary Pensions
 upon the English Clergy ; And lastly their
 usurping a Legislative Iudiciary and Dis-
 pensative Power in the exterior Court by
 Politicall Coaction. These are all the Bran-
 ches of Papall power which we have rejec-
 ted. This Reformation , is all the Sepa-
 ration that we have made in point of Di-
 scipline. And for Doctrine, we have no
 Difference with them about the old Essen-
 tials of Christian Religion : And their
 new Essentials which they have patched to
 the Creed, are but their erroneous or at the
 best probable Opinions, no Articles of Faith.

He is still bragging of his *Demonstrations*,
 yet they are but blind Enthymematicall
 Paralogismes , wherein he maketh sure to
 set his best legge formost, and to conceale
 the lameness of his Discourse as much as he
 can from the eyes of the Reader) and still
 calling upon us for *rigorous Demonstration*. I
 wish we knew whether he understād what
rigorous Demonstration is in Logick, for no
 other

other Demonstration is rigorous, but that which proceedeth according to the strict Rules of Logick, either *a priore* or *a posteriore*, from the cause or the effect: And the Cause in Difference between us (whether those Branches of power which the Popes claimeth and we have rejected, be the Legacies of Christ or Papall Vsurpations) is not capable of such rigorous Demonstration, but dependeth upon Testimony, which Logicians call an *Inartificiall* way of arguing. But if by *rigorous Demonstration*, he understand convincing proofes, those grounds which offer in this Section do contain a *rigorous Demonstration*. That Discipline which is brimfull of intollerable Rapine, and Extortion, and Simony, and Sacrilege; which robbeth Kings, and Subjects Ecclesiasticall and Secular, of their just rights; which was introduced into the Church of England eleven hundred yeares after Christ; which hath a Malignant Influence upon the Body Politick; which is Destructive to the right ends of Ecclesiasticall Discipline; which in stead of securing men in peace doth thrust them into Manifest and manifold Dangers, both of soule and body; which is contrary to Generall Councils, and the ancient Liberties of particular Churches: *qualis, as it is such*, is no Legacy

gacy of Christ, but ought to be purged and reformed from all such abuses and Vsurpations: But such is that Papall Discipline, which the Bishop of *Rome* excercised in *Englād* before the Reformation, and lesse then which they will not goe; and such are all those Branches of Papall power which we have cast out.

The truth of this Assertiō I have made manifest in my Vindication c.6, and this is the place of a further examination of it, if he did discharge the part of a faire solid Disputant; to leave his windy Invectives, which signify nothing to the cause, but to his own shame, and to proceed closely and ingenuously to the investigation of truth without prejudice or partiality. But on the Contrary, he minceth my grounds, and concealeth them, and skippeth over whatsoever disliketh him, and choppeth them and chāgeth them, and confoundeth them, that I can not know mine own Conceptions againe as he hath dressed them, ād disordered them, and mutilated them. I proposed five distinct Grounds of our Reformatiō, ād casting out so many Branches as we did of Papall power; if he dealt like a just Adversary, he should pursue my Method step by step: but he reduceth my five grounds into three, that between two Methods he may

conceale and smother whatſoever he has
no diſpoſition to answer, as he deals
with many points of weight and moment
and particularly with all those Testimonies
and instances I bring to prove the intolerable
extortions, and manifold Vſurpation
and malignant Influence of the Roman
Court upon the Body Politick and Ecclesiastick,
being much the greater part of
my discourse. But I doe not altogether
blame him, for they are so foule, that
no man can find small credit or contentment
in defending them. For once rather than
loose his Company, I will pursue his
Method. Let us give him the hearing.

He reduceth my five grounds to three
first such as entrench upon Eternity and
Conscience. *May not any Heretick ob-
ject that the Church imposed new Arti-
cles of faith &c or complain of new
Creeds, when she addeth to her public
Professions some points of Faith held for-
merly? Might not he Complaine of pe-
rill of Idolatry as your Brother Puritan
did for Surplesſes &c? Might not he
pretend that all Hereticks and Schisma-
ticks were good Christians, and that the
Church was Tyrannicall in holding them*
for

excommunicate? Might he not shuf-
 together Faith with Opinion, and
 ally allege as you doe here, you were
 need to approve the Popes Rebellion a-
 gainst Generall Councells, and take
 steps to maintain Papall Vsurpations?
 This is all the Answer I get of this brave
 disputant, as if the unjust complaints of
 the Puritans did satisfy the just exceptions
 of the Protestants. It is probable enough,
 that he him self was one of our Brother Pu-
 ritans in those dayes: otherwise he could
 not well have talked so wildly of perill of
 Idolatry from Surpleffes. His discourse is
 sleight and impertinent, that I will not
 purchase any answer but leave it to the
 reader to compare my *Vindication* and Re-
 joinder with his *Rejoinder*. That they have ad-
 ded new Essentialls to Faith, is fully evin-
 ced against them in this Treatise Sect. 1.
 cap. 11. What our Iudgement is concer-
 ning their Idolatry, he shall find exactly
 set down in my answer to *Militier Pa.* 133.
 as for the Oaths of Fidelity which every
 Bishop must make to the Pope, he may sa-
 tisfy him self Sect. 1. cap. 5. and see the
 form of it. cap. 7. Or if he Desire to see
 the later form, let him take this. I Henry
 Arch-

Archbishop of Canteibury will
Antiq. faithfull and Obedient to St. Peter from
Eccles. this houre as formerly, and to the ho
Brii. Apostolick Church of Rome, and to n
vua 66. Lord Pope Alexander the sixth and h
Successours. I will give no counsaile n
consent nor act any thing towards t
losse of their lifes, or members, or libe
ty. I will discover their Counsailes
no man to their prejudice, which th
have communicated to me by the
selves or their Messengers. I will h
them to retein and defend the Rom
Papacy, and the Royalties of St. Pet
(saving my Order) against all men.
will entertein the Popes Legates honor
bly going and comming, and help the
in their necessities. I will visit the P
pall Court every yeare, if it be on t
side the Alpes, and every two yeares
it beyond the Alpes, unlesse the Pope
pense with me, So help me God and
Holy Gospels. What fidelity can a K
expect from a Subject who hath taken
Oath, if the Pope please to attempt
thing against him? If the Popes Super

any above a Generall Councell, be but held
 as an indifferent Opinion in their Church,
 and not a point of Faith, as he intimateth: yet
 it is such an Opinion as he dare not contra-
 dict, it is *vere communis*, it is almost the Common
 Opinion of all Romā Catholicks, if Bellarmine say
vere, and *vere de fide*, almost a point of Faith, upō
 which modern Popes and Councells are accorded.
 It is determined expressly in their last Gene-
 rall Councell of Laterā, that the Bishop of Rome
 hath Authority over all Councells. Sess. II.

Were these all the grounds he could find
 which emrench upon Eternity and Conscience? He
 might have found more, that by means of
 all abuses there described, hospitaliety was
 kept, the poore not sustained, the word not prea-
 ched, churches not adorned, the Cure of soules neg-
 lected. divine Offices not performed, Churches
 ruined. He might have found Oaths, Customs,
 writings, grants, statutes, rights, privileges, to have
 not onely weakened but exinanited, by the
 Popes infamous Messenger called Non obstante.
 And all this attested by the Lords Spirituall
 and Temporall, and the whole Common-
 wealth of England. But it is no matter whe-
 ther he take notice of it or not, whilest he
 answereth nothing.

He saith my second sort of Grounds, are
 those which relate to Temporall inconveniences
 and injuries to the State, by reason of the Popes pre-
 tended

Math.
 Paris.

an.
 1245.

tended encroachments, which I huddle together in big Terms. Do I huddle thē together? Nay I hadled them distinctly under three heads or notions. First the intolerable Oppressiōs and Extortiōs of the Court of Rome in points of Fact, Secondly their grosse and grievous usurpations in point of Right, Thirldly the malignant influence of forrain discipline in point of Policy. It is he that huddles them together, because they are so foule and so evident, that he dare not take a view of them singly, much lesse repeat them: and so they might be buried in Oblivion for him, unlesse the Reader be pleased to take a review of them. I shall not willingly adde a word more, either to the Extortions or Malignant Influence, because I ludge in Charity, that all good men doe wish them amended as well as I: And for the Vsurpations, being matter of perpetual right, I hope I have cleared them sufficiēly in this Treatise throughout the first Section.

But what is his answer to all this? That it is disputable between Canon and Civill Lawyers, whether many of these were abuses or injuries; of which kind of Controversy he neither thinks me nor himself competent Iudges. Adding, that these Questions doe not concern our present quarrell. How? not concern our Quarrell? They are all the Quarrell we have

have: and not a Primacy of Order, or any power purely spirituall in the Court of Conscience. If he have nothing to doe with these, why doth he meddle to no purpose? whatsoever power was given by Christ, or is recorded in Scripture, is expressly excepted out of our Law. And once more Reader observe and wonder, that these men who called upon us often for the grounds of our Separation, must be called in as often for a faire answer. He promised to shew the Readers *a Monster in this action for pence a piece*: It seemeth by his juggling, he seeth something that he is afraid to meddle with. I doubt he will prove true Prophet of himself, that all the Readers satisfaction for their money will be, to tell them that *he hath abused them*.

But it may be he is better at his sword then at his Buckler, at opposing in Generalls, then defending himself from Particulars. Although he hath not given us one particular answer, to the truth or falshood of the Crimes and inconveniēces objected: yet he giveth in seven generall Exceptions, but it is with as much hast as the dogge by his heels, which runnes and drinks. First he saith, *those inconveniences which I mention, if they had been true, are abuses in the Officer and faults in the Office, which ought not to be*

taken away for them. Intolerable extortion and grosse Vsurpations, are no more w^{orth} him then *inconveniences*. This Object was answered by me before it was mov^{ed} by him, if he had not thought fit to sm^{ear} ther it; where I distinguish between personall faults of Popes, and faulty principles or Lawes, and shew how farre the one and the other doe warrant a Separation. The former onely from the faulty person to preserve ourselves from participating with him in his Crimes: The latter from the faulty Office, so farre as it is faulty untill it be reformed. Neither have we taken away any Office, but onely abuses and Vsurpations.

*Vind.
cap. 6.
pa. 128*

Secondly he excepreth, that *some of the pretended abuses are onely my own Deduction which I shew not evidently out of the Science of Politicks, but out of two or three matters of Fact*. I answer, that experience is the Polititian's best Schoolmaster; and that every man findeth where his own Shoe wringeth him much better by wearing it himself, then by hearing others discourse of it. But I thank him for his *Memento*; and the next time I have occasion to make use of it, I shall demonstrate to him out of the *Science of Politicks* that Forrain Jurisdiction is uselesse and chargeable.

able to the Subject ; Dangerous and destructive to the King and Commonwealth; Rack and Gibbet to the Conscience, by subjecting it to two Supremes who may possibly clash one with another ; and altogether opposite to the Ecclesiasticall Policy of the Primitive times, which conformed the bounds of Ecclesiasticall Iurisdiction to the Civill.

Thirdly he pleadeth, that *I doe not prove* some of these pretended abuses were not just, but onely shew that such and such things were done, and that either party had learned manners for them, and that sometimes the Kings renounced their pretenses, as in point of investitures. I answer, that the Opposition of King and Kingdome to any branch of papall power, sheweth evidently that they did not believe, that the Pope had any right to, divine or humane, and clearly destroyed his Foundation of immediate Tradition. How should they leave that to their children, as a Legacy of Christ or his Apostles, which they themselves rejected? Our Kings never renounced their right of investitures, onely they consented, that they should not give Investitures in their own persons, but by a Bishop, still retaining both the right of Patronage and their Oathes,

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Fourthly, he saith that *these temporall Lawes* which I cite, concluder not evidently a right and reason gives more particular respect to Ecclesiasticall lawes then to temporall. I answer, though such Lawes doe not alwaies prove a right; Yet they alwaies prove to common consent of the Kingdome, where they esteeme to be right; they alwaies disprove the Popes Prescription. But he is wholly mistaken, many of those Lawes which I cited were Ecclesiasticall Lawes. And the Popes Decretalls which he intimateth for Lawes, are no Lawes, nor ever were held for Lawes in England without the reception of the Church of the Kingdome. Reason gives more respect to the Sanctions of Bishops then of Kings in cases purely spirituall; but more respect to the Lawes of Kings then of Bishops, in the Externall Regiment of the Church within their own dominions.

Fifthly he chargeth me for saying, that *the Pope usurped most unjustly all right, civil, Ecclesiasticall, Sacred, Prophane, all Orders of men, Kings, Nobles, Bishops &c.* Which he calleth a lowd *modest* *lummy*. By his favour, he doth me wrong and himself more with his foule Language, when he is not provoked at

I said not [all right] in the *abstract*, but [all rights] in the *concrete*. Hath he forgotten that which every boy in the Vniversity knoweth, to distinguish betwixt *singula generum* and *genera singulorum*, Some of all sorts, and all without exception. My words onely signify some rights of all sorts; as is evident by the words following, *Civill, Ecclesiasticall, sacred, prophane, of all Orders of men, Kings, Nobles, Bishops &c.* which is an ordinary and proper expression, and cannot possibly be extended to all rights without exception.

Sixthly, he urgeth that *grant all these abuses had been true, was there no other remedy but division? Had not the Secular Governors the sword in their hand? Did it not lie in their power to chuse whether they would admit things destructive to their rights?* I answer, that it doth not alwaies rest in the power of the Civill Magistrate, to doe that which is best in it self, especially in seditious times, when the Multitude (as a good Authour saith) doe more readily obey their Priests then their Kings. But they must move their Rudder according to the Various Face of the Sky, and await for a fitter opportunity; As our Kings did, which fell ont at the

Reformation, when they followed his Counsaile in good earnest, and with the Civill sword did lop away all Papall Vsurpations and abuses; Other *Division* there was this, to divide between the rotten and the sound, we made none. The great division which followed our Reformation, was made by themselves, and their Censures. Our Articles do testify to all the world, that we have made no division from any Church, but onely from Errours and Abuses.

Seventhly, he pleadeth that in case the temporall inconveniences had not been otherwise remediable, yet Ecclesiasticall Communion ought not to be broken for temporall Concernments. To prove this Conclusion he bringeth six reasons, some pertinent, some impertinent and very improper, but he might have saved his labour. For if he understand his Conclusion in that sense, where in he ought to understand it, and where in I hope he doth understand it, of dissolving the Communion of the Catholick Church, or of any member of the Catholick Church *quatale* as it is a Member, for meer temporall respects, *Concedo omnia*, I grant the conclusion; but if by breaking Ecclesiasticall Communion, he under-

stand

stand deserting the Communion of a particular Church, as it is erroneous and wherein it is erroneous, his Conclusion is not pertinent to his purpose, nor his six proofes pertinent to his conclusion. But he might remember, first that our Grounds by his own Confession do not all relate to *temporall inconveniences*, but some of them to *Eternity and Conscience*, and that they ought to be considered conjointly. Secondly, that we do not make these *temporall Inconveniences* to be irremediable, we our selves have found out a Remedy: and it is the same which he himself adviseth in this place, to thrust out all entrenchments and Vsurpations with the civill sword. If they will grow Angry upon this, and break Ecclesiasticall Communion themselves, it is their Act, not ours, who have acted nothing, who have declared nothing against any right of the Bishop of *Rome* divine or humane, but onely against his encroachments and Vsurpations, and particularly against his Coactive power in the Exterior Court, within the English Dominions. They might take us to be not onely very tame Creatures, but very stupid Creatures, first to suffer them to entrench and encroach and usurp upon us dayly, and then

to

to be able to perswade us to *Isachars* condition, to undergoe our burthen with Patience like Asses, because *we may not break Ecclesiasticall Communion for temporall concernments*. We have done nothing but what we have good warrant for from the Lawes of God and nature; let them suffer for it who either seperate from others without just cause, or give others just cause to seerate from them.

In the next place followeth a large Panegyricall Oration in the praise of Vnity of the Benefit and Necessity of it, mixed with an Invective against us for breaking both the Bonds of Vnity. The former of those considerations is altogether superfluous, To praise Vnity which no man did ever dispraise, but to his own perpetual Disgrace. The latter is a meer Tautology or repetition of what he hath said before, which I will not trouble the Reader withall, but onely where I find some new weight added. He saith wee acknowledge *the Church of Rome to be a true Church* Right, Metaphisically a true Church which hath the true essence and being of a Church, but not Morally true or free from Errours.

He demands, *what is the certain Method to know the true sense of Scripture?* If he please to take so much paines to View my answer to *Militier*, he may find both whom wee hold to be fit Expositors of Scripture, and what is the right manner of expounding Scripture; If he have any thing to say against it, he shall have a faire hearing. He telleth us, that *our best Champions Chillingworth and Falkland doe very candidly confesse, that we have no certainty of Faith but probability onely.* He citeth no place, and I do not hold it worthy of a search, whether they doe confesse it or not. It is honour enough for them to have been genuine Sonnes of the English Church, (I hope they were so), and men of rare parts, whereof no man can doubt: yet one of them was a Lay man, it may be neither of them so deeply radicated in the right Faith of the English Church, as many others. But our chiefeft Champions are those who stick closest to the Holy Scriptures, interpreted according to the Analogy of Faith, and the Perpetuall Tradition of the Univerfall Church: but for that Assertion which you father upon them, that *we have no certainty of Faith but probability onely*; We detest it. And when you, or any other is pleased to make tryall, you

You will find that we have as great assurance altogether for our faith, as your selves have for your old Articles of faith, and much more then you have for your new Articles,

p. 373. He accuseth us for joining in Communion with *Greeks Lutherans Huguenots*, perhaps *Socinians Presbyterians Adamites Quakers &c.* And after he addeth *Roman Catholics*. Are not Huguenots Presbyterians in his Sense? If they be, why doth he disjoin them? I know no reason why we should not admit *Greeks and Lutherans* to our Communion, and (if he had added them) *Armenians Abyssines Muscovites*, and all those who do professe the Apostolical Creed, as it is expounded by the first four Generall Councils under the Primitive Discipline: and the *Roman Catholics* also, if they did not make their Errours to be a Condition of their Communion. As for *Adamites* and *Quakers* we know not what they are, and for *Socinians* we hold them worse then *Arrians*. The *Arrians* made Christ to be a Secondary God, *erat quando non erat*; but the *Socinians* make him to be a meer creature. And for *Presbyterians* what my Iudgement is, he may find fully set down in my reply to the Bishop of

Chalcedons Epistle.

But saith he, every one of these hath a different head of the Church, *The English head is the King, The Roman Catholick head is the Pope, The Grecian head is the Patriarch, The Presbyterian head is the Presbytery or Synod, and the Lutheran head is the Parish Minister.* First for the *Lutherans* he doth them egregious wrong. Throughout the Kingdomes of *Denmark* and *Sweden* they have their Bishops, name and thing, and throughout *Germany* they have their Superintendents. And to the rest I answer him, that there are severall Heads of the Church, Christ alone is the Spirituall head, the Sovereign Prince the Politicall head, the Ecclesiasticall head is a Generall Councell, and under that each Patriarch in his Patriarchate, and among the Patriarchs the Bishop of *Rome* by a Priority of Order. We who maintain the King to be the Politicall head of the English Church, doe not deny the spirituall Headship of Christ, nor the supreme power of the Representative Church that is a Generall Councell or Synod, nor the Executive headship of each Patriarch in his Patriarchate, nor the Bishop of *Romes* headship of Order among them: and thus this great Objection is vanished. By this he may see that

that we have introduced no new Form of Ecclesiasticall Government into the Church of *England*, but preserved to every one his due right if he will accept of it; and that we have the same Dependence upon our Ecclesiasticall Superiours, which we had evermore from the Primitive times.

He chargeth us, that we give no certain Rule to know which is a *Generall Councell*, which not, or who are to be called to a *Generall Councell*. There is no need why we should give any new Rules, who are ready to observe the old Rules of the Primitive Church. Generall Summons to all the Patriarchs for them and their Clergy; Generall Admittance of all Persons capable, to discuss freely, and to define freely, according to their distinct Capacities; and lastly the presence of the five Protopatriarchs and their Clergy, either in their persons or by their suffrages, or in case of Necessity the greater part of them, doe make a *Generall Councell*. Whilest we set this rule before us as our pattern, and swerve not from it but onely in case of invincible Necessity we may well hope that God who looked upon his poore Servants with all their Prejudices, and expecteth no more of them then he hath enabled them to performe

who

who hath promised that where two or three are gathered together in his name, there will he be in the midst of them: Will purchase to give his assistance and his assistance to such a Councell, which is as generall as may be, although perhaps not so exactly Generall as hath been, might have been now, if the Christian Empire had flourished still as it did anciently. In summe, I shall be ever ready to acquiesce in the Determination of a Councell so Generall as is possible to be made; so it may be equall, not having more votes of one Country then all the rest of the Christian world, as it was in the Councell of *Trent*, but regulated by the equall votes of Christian Nations, as it was in the Councells of *Constance* and *Basile*: and so as those Nations which cannot in probability be personally present, may be admitted to send their Votes and Suffrages as they did of old: and lastly so it may be free, called a free place whither all parties may have free access, and Liberty to propose freely and define freely, according to the Votes of the Fathers, without being stinted or curbed or overruled by the Holy Ghost sent in a Carriers Budget.

And for the last part of his exception
that

that *Hereticks* should not be admitted, I for my part should readily consent; provided that none be reputed *Hereticks*, but such as true Generall Councils have evidently declared to be *Hereticks*, or such as we not pronounce an *Anathema* against old *Heresies*, which have been condemned for *Heresies* by undoubted Generall Councils. But to imagin that all those should be reputed *Hereticks*, who have been condemned of *Heresy* or *Schisme* by the Roman Court for their own interest, that foure parts of five of the Christian world is silly and senselesse, and argueth nothing but their fear to come to a faire impartial Tryall.

And this is a full answer to that which he allegeth out of *Doctor Hammond*, that *Generall Councils* are now morally impossible to be had, the Christian world being under so many Empires and divided into so many Communi-
 ons. It is not credible that the Turke will send his Subjects, that is four of the *Protopatriarches* with their Clergy to a Generall Council, or allow them to meet openly with the rest of Christendome in a Generall Council, it being so much against this own

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interest: but yet this is no impediment why
 the Patriarchs, might not deliver the Sense
 and Suffrages of their Churches by Letters
 or by Messengers; and this is enough to
 make a Councell Generall. In the First
 Councell of *Nice*, there were onely five
 Clergymen present out of the Western
 Churches; In the Great Councell of *Chal-*
cedon not so many; In the Councells of *Con-*
stantinople and *Ephesus* none at all. And yet
 have these four Councells evermore been
 deemed truly Generall, because the We-
 stern Church did declare their consent and
 concurrence. Then as there have been Ge-
 nerall Orientall Councells, without the
 personall presence of a Western Bishop: so
 there may be an Occidentall Councell, with-
 out the personall presence of one Eastern
 Bishop, by the sole Communication of
 their sense and their Faith. Neither is such
 Communication to be deemed impossi-
 ble, considering what correspondence,
 the *Muscovian* Church did hold
 long with the Patriarch of *Constantinople*,
 and the *Abyssine* hath long held, and
 both still hold with the Patriarch of *A-*
lexandria.

It is cōfessed that there are too many diffe-
 rent Communions in *Europe*, it may be some

more then there is any great cause for, and perhaps different Opinions where there is but one Communion, as difficult to be reconciled as different Communions. But many of these Mushrome Sects, are like those inorganicall Creatures bred upon the Bankes of *Nilus*, which perished quickly after they were bred, for want of fit Organs. The more considerable parties, and the more capable of reason are not so many if these could be brought to acquiesce in the determination of a free Generall Councell they would towne the other like lesser Boats after them with ease.

No man wil say that *the Vnity of the Church in point of Government*, doth consist onely in their actuall subordination to Generall Councils. Generall Councils are extraordinary Remedies, proper for curing or composing new differences of great Concernment in Faith or discipline. That being done, Generall Councils may prove more Danger then use. No healthfull man delighteth in a continuall course of Physick. But Vnity consisteth also and Ordinarily in Conformity and submission to that discipline which Generall Councils have commended to us, either as the Legacies of Christ and his Apostles, or

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Ecclesiasticall Policies instituted by them, with the Concurrence or Confirmation of Christian Sovereigns, for the publick good of the Catholick Church.

He chargeth us, that we have so formed Gods Church, that there is no meanes left to assemble a Generall Councell; having renounced the Authority whose proper Office it was to call a Generall Councell. His errors seldome come single, but commonly by Clusters or at least by paires. What height of Confidence is it to affirm, that it is the proper Office of the Pope to call Generall Councells, when all ingenuous men doe acknowledge that all the First Generall Councells, were *Ab Imperatoribus Indicta*, Called by Emperours? To which the Popes Friends adde, that it was by the Advise and with the Consent of the Pope. And Bellarmine gives diverse reasons why it could not be otherwise, First, because there was a Law, which did forbid free Assemblies for feare of Sedition. Secondly because no reason doth permit that such an Assembly should be made in the Imperiall City, without the leave of the Lord of the place. Thirdly because Generall Councells were made then, at the Publick Charge. He might have

De
Concil.
lib. 1.
cap. 14.

added , that Councells did receive their Protection from Emperours, and they who sit in Councells were the Subjects of Emperours.

In the second place he erreth in this also, that *we have taken away the meanes of assembling Generall Councells.* We have taken away no power from the Pope of convoking any Synods, except onely Synods of the King of Englands Subjects, within his own dominions, without his leave; which *Bellarmino* himself acknowledgeth to be agreeable to reason. If the Pope have any right, either to convocate Generall Councells himself, or to represent to Christian Soveraigns the fit seasons for Convocation of them, either in respect of his *Beginning of Unity*, or of his Protopatriarchate, we do not envy it to him, since there may be a good use of it in respect of the division of the Empire, so good caution be observed. *Bellarmino* confesseth that that power which we acknowledge, that is, that *though the Pope be no Ecclesiasticall Monarch, but onely chief of the Principall Patriarches, yet the right to convocate Generall Councells should pertain unto him.* But it may be, this is more then *Mr. Serjeant* know.

My last Ground, was the Exemption of the Britannick Churches from foreign Jurisdiction, by the Generall Councell of *Ephesus*. As to the Exemption of the Britannick Churches, he referreth himself to what he had said formerly, and so do I. To the Authority of the Councell of *Ephesus* he answereth, that howsoever *Cyprus and some others are exempted from a Neighbouring Superiour, falsely pretending a Jurisdiction over them, yet I shall never shew a Syllable in the Councell of Ephesus, exempting from the Popes Jurisdiction as head of the Church.* Not directly, a mā may safely sweare it, for the Councell never suspected it, the world never dreamed of it, the Popes themselves never pretended to any such headship of Power, and Vniversall Jurisdiction over the whole Church, in those dayes. All that the Primitive Popes claymed by divine right, was a *Primacy of Order or Beginning of Vnity*, due to the Chaire of *St. Peter*: all that they claimed by humane right were some Privileges, partly gained by Custome or Prescription, and partly granted by the Fathers to the See of *Rome*, because it was the Imperiall City. But there is enough in this very Canon colla-

terally to overthrow all the Vsurpations of the Roman Court. There is no need that Britain should be named particularly, where all the Provinces without exception are comprehended, *Let the same be observed in other Diocesses and in all Provinces.* There is no need that the Bishop of Rome should be expressed, where all the Bishops are prohibited, *That no Bishop occupy another Province, which formerly and from the beginning was not under the power of him or his Predecessours.* If the Fathers were so tender of pride creeping into the Church in those dayes, or of the danger to lose their Christian Liberty in the case of the Bishop of Antioch, who pretended neither to divine right nor Univerfall Iurisdiction: what would they have said or done in the present case of the Bishop of Rome, who challengeth not onely Patriarchall but Sovereign Iurisdiction, not over Cyprus onely but over the whole world, not from Custome or Canons but from the institution of Christ? If Maister Serjeant be in the right then the Bishop of Antioch was quite out, to sue for the Iurisdiction of Cyprus which belöged more to the Bishop of Rome then to him. Then the Bishops of Cyprus were quite out, to challenge the Ordination of

of themselves, and Jurisdiction over one another, as a proper right belonging to themselves, which they hold onely by Courtesy and favour from the Bishop of Rome. Then the holy Synod was quite out, to Determine so positively, that not onely Cyprus, but every Province should enjoy its Rights and Customes inviolated, which it had from the beginning, without a *Salvo* or saving the right of the Bishop of Rome, or a reservation, so long as he pleaseth to permit them to doe it in such Imperiall Terms, as he hath pleased the holy Synod, or such is our measure. Lastly the Pope himself was out, to ratify the Privileges and exemptions of the Cyprian Bishops, not onely from the Patriarch of Antioch, but from himself also, and to suffer his divine right to be trampled under foot, by Customs and Canons, which are of no force without him. That this is the least part of the passages in the foure First Generall Councells, which are repugnant to the Popes pretensions of a Generall Monarchy. The Eastern Churches doe still adhere firmly to the Primitive Discipline, and for this cause the Pope hath thought fit to excommunicate them. *Si violandum jus est, regnandi causa laudum est.*

Against

Against all our Grounds , the most intolerable extortions that ever were heard of, most grievous Vsurpations, malignant Influence both upon the State Politick and Ecclesiastick , and undoubted Privileges he produceth nothing but *immediate Tradition* : and you must be content to take his bare word for it , for he is altogether unfurnished of proofes. Some men by telling strange Stories over and over , do come at last to believe them. It may be he believeth there was a Tradition, for those Branches of Papall power , which we cast out : but we deny it altogether and require him to prove first that there was such a Tradition in *England* , next that a particular Tradition is a sufficient proofe of divine Institution.

We admit readily, that *the Vnity of the Church is of great importance*, and *the breaking of it an heinous Crime* and that *no abuses imaginable are sufficient excuse for a totall desertion of a power*. Thus far in the *Theory* we agree , but in the *Hypothesis* we differ , That which is a sufficient ground for a reformation

is not a sufficient Ground for an extirpation. So many, so grievous, so unconscionable extortions, and Vsurpations, and malignant influences, as we complain of and prove, are without all peradventure a sufficient ground of Reformation, which is all our Ancestours did, or we defend; though not a sufficient cause of the extirpation of any just Authority. Our Grounds are sufficient for a Reformation of abuses and encroachments, which we acknowledge, and which is all we did at the Reformation; but for the abolition of any just power, it is his fond Imagination, we disclaime it altogether. We have cast out all Papall Coactive Iurisdiction in the Exteriour Court, as being Politicall not Spirituall: but for any Papall Iurisdiction either purely spirituall or justly founded, we have not medled with it; those things which we have cast out, are onely abuses and Vsurpations. So there is no need of that Consideration which he proposeth, whether the abuses were otherwise remediable, or not: for our Reformation is that very Remedy which he himself hath prescribed, to hold out encroachments with the point of the sword, without any medling with just right. Other division
then

then this (which he himself hath allowed) we believe our Ancestours intended none, we hold none, and so are accountable for none.

The main Question is whether the *Britannick Churches* were *de facto* subject to *Rome* or not. I have demonstrated the contrary already, that they were not, and had alwaies their Ordinations at home. But his Conclusion which he puts upon me, that *true complaints against Governours, whether otherwise remediable or no, are sufficient reasons to abolish that very Government*, is a vain assertion of his own, no Conclusion of mine.

He starteth a Question here little to his own Credit, whether he that mainteineth the Negative, or he that mainteineth the Affirmative ought to prove. He saith (*according to his old Pueriles*) that a *Negative may be proved in Logick*. No man doubteth of it or denieth it, *Quis enim potest negare?* I said on the Contrary, that in this case which commeth here in difference between us, according to the strict rules of Law, the burthen to proue, resteth onely on his side who affirmeth. As the Question is here between us, whether we had other Remedies, then to make such a Reformation as we did. We say,
No,

They say, Yea. It is possible to
 there might be other Remedies,
 it is impossible to prove there were no
 Remedies. *Galen* or *Hippocrates* him-
 would not have undertaken such a
 te, to prove that there were no other
 remedies for a disease, then that which
 used. It is not for want of Logically
 ns, that Negatives are not to be proved
 matter of Fact, but for want of sufficient
 ns. He saith he is no *Bowler*, and so
 per as not to understand what is the soaling
Bowle; It may be it is true, but if I
 old put him to prove this Negative, it
 impossible. But so farre as a Negative of
 nature is capable of prooffe, I did prove
 our Addressees to Popes and Councells,
 long expectation in vain, that we had
 other Remedy then that which we used,
 thrust out their Vsurpations by the power
 the sword, which course he himself ad-
 th, and we practised. The division is not
 by them who thrust out Vsurpations,
 by them who brought them in and de-
 ed them.

I said, that not onely our *Ancestors*
 all *Catholick Countries* did maintein
 their own privileges inviolated, and
 ke themselves the last Iudges of their
 Grie-

Grievances, from the Court of Rome. He
 he concludeth with open Mouth, there
 there were other Remedies; there needed no
 vision. Alas poore man, how he troubleth
 himself about nothing! They and we
 the very same Remedies, the same that
 adviseth in this place. The Pope would
 ease them upon many addresses made.
 then? had not the King the Sword in his
 hands? Did it not lie in his power to right
 self as he listed? and to admit those pretended
 croachments onely so far as he thought just
 fitting? Yes, the King had the sword in
 hands, and did right him self, and cast
 those Papall Usurpations so far as he for
 Iust; and now when we have followed
 own advise, you call us *Schismaticks*
Dividers. Sr. we are no Dividers, but
 have done our Duties, and if we prove the
 things which we cast out to be Usurp
 tions (as we have done), you are the *Sch*
maticks by your own Confession.

He pleadeth, *If Papall Authority be
 Christs Institution, then no just cause can possi
 be given for its Abolishment.* Right:
 those Branches of Papall power which
 have cast out, are neyther of Christs In
 stitution nor of Mans Institution, but
 Usurpations, Neither doe we seek to

H Papall Authority, but to reform it
 from Accidentall Abuses, and reduce it to
 its first Institution. The best Institutions
 Divine or Humane, may sometimes need
 such Reformation. Here is nothing like
 a proof, but his *World of Wiues*, and his
Memoriall Tradition, presumed not pro-
 ved.

To shew that no Nation suffered so much
 in England under the Tyranny of the Ro-
 man Court, he saith I produce nothing,
 but the pleasant saying of a certain Pope. Well,
 would he have a better witness against the
 Pope, then the Pope him self? *Habemus*
confitentem rem. He was pleasant indeed, but

Ridentem dicere verum

Quid vetat?

What hindereth that a man may
 tell the truth laughing? He al-
 legeth whether those Testimonies which
 he produce, be Demonstrative or rigo-
 rous Evidences? I thinke he would
 have me like the unskilfull Painter, to write
 over the Heads of my Arguments, *This*
is a Demonstration. It would become him
 better to refute them, and shew that they
 are not Demonstrative, then to trifle away
 the time with such frivolous Questions.

I she-

I shewed, that [England is not alone
 the Separation, so long as all the Eastern
 Southern, Northern, and so great a part
 the Western Church, have separated
 themselves from the Court of Rome, and
 are separated by them from the Church
 of Rome as well as we]. In answer to this,
 he bids me *shew that those I call Christians, have*
any infallible or certain Rule of Faith &c.
 This is first to hang men up, and then to ex-
 amine their cause; first to excommunicate
 four parts of five of the Christian world for
 their own Interests, because they will not
 submit their necks to the Roman Yoke, and
 embrace their upstart Vsurpations, with
 much Devotion as the genuine Legacies of
 Christ and his Apostles. It behoved the
 Court of Rome to have weighed the cause
 more maturely, before they gave such
 temerarious sentence, against the much
 greater part of Christendome, in so weighty
 a cause. But for *their rule of Faith*, they
 have a more certain and Authentick Rule
 than he himself, by as much as the Apostles
 Creed is a more Authentick rule of Faith
 than *Pius* the fourths Creed, and the Holy
 Scriptures a more infallible ground, than
 particular supposititious Tradition, which
 wanteth both Perpetuity and Univerſality.

I said that [we desired to live in the peaceable, Communion of the Catholick Church, as well as our Ancestours, as far as the Roman Court will give us leave]. He answereth, that he knoweth very well we should be glad that the Church of Rome would open us for hers &c, That lack Straw or Water after they had rebelled, had no mind to be changed, That it is no Charity or Courtesy in us, to request of an unreasonable favour from them, to admit us into their Communion, and would be most absurd in Government, &c. Whether they hold us for theirs or not, is not much materiall; if they did, it were the better for themselves; if they doe not, it is not the worse for us: so as Christ own us for his, it skilleth not much whether they say, come ye blessed, or goe ye cursed; whether we be the wheat or Chaffe, their tongues must not winnow us. Although he snuffe out our desire of Vnion: yet God Almighty sets a greater value upon it. He is not out of the Church who is within it in the desires of his heart, and implicitly in the preparation of his mind. Observe Reader who are the procreative and conserving causes of this Schisme. They frightened us from them with new Articles and Vsurpations; they thrust us from them with new Cen-

Censures and Excommunications; and we had a mind to return, they tell us it was *absurd in Government to readmit us*. My chiefest wonder is, that he who was the other day, by his own vote, an *Arabrebell* should talk so suddainly of *hanging*. Suddain Changes are alwaies dangerous, and for the most part personated.

He asketh, whether our *Ancestours* renounce the Popes *Authority as Head of Church*? If he mean a Head of Order, they did not, no more do we: if he mean a Head of Sovereign power, they did, and so do we. What I granted once I grant alwaies: it is for Turncoats to take their swings. I write *semper idem*, of the same religion wherein I was baptised: can he do the same? But he urgeth, that I make it the top of my Climax, that our *Ancestours* threatned to make a wall of Seperation, between the Court of Rome and them, which sheweth that they did it not: but it is evident, that we have done what they onely threatned to doe, and plead for our excuses, that we have more experience then our *Ancestours* had. I made it the top of my Climax indeed; honest mens words are as good as deeds. But doth he thinke that our *Ancestours* did onely make counterfeited Grammar and threaten that which they could not

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lawfully have performed? *Abſit*: The
 Lawes and the threatning are eaſily recon-
 ciled. Our Anceſtours made very ſevere
 Lawes againſt the Vſurpations of the
 Court of *Rome*, as I have ſhewed in parti-
 cular throughout; but they did not execute
 them ſo rigorouſly, but connived at
 many innocent or not pernicious en-
 croachments, in hope the Court of *Rome*
 and their Emiſſariës, would have kept
 themſelves within ſome tolerable bounds
 of moderation. But they found by experi-
 ence, and we by much longer and ſurer ex-
 perience, that all our Hopes were vaine,
 that the Avarice of the Roman Court was
 not to be ſatiated or to be ſtinted, that if we
 gave them leave to thruſt in their head they
 would quickly draw in their body after.
 And therefore our Anceſtours finding this
 true in a great part, did threaten them to
 make a wall of *Seperation*, that is, to execute
 their Lawes rigorouſly, to uſe no more in-
 dulgence or connivence, to take away
 their Coactive power in the Exteriour
 Court altogether, which the Lawes have
 taken away before ſufficiently. And we
 being confirmed by much longer and ſurer
 experience, have accompliſhed what they
 threatned. So this threatned Wall of
Seperation is no new Law, but a new

Mandate to execute the old Lawes: and our experience and our Ancestours materially is the same, but ours is more grounded and more sure ; their seperation and ours was the same to point of Law , but not of Execution. And the reason why our Ancestours remedies were not Sovereign or sufficient enough, was not want of virtue in the Remedy , but want of due application. Thus all *Mr. Serjeants* hopes are vanished , and his Contradictions tumbled to Dust. Great is Truth , and prevaieth.

Page.
578.

Yet he keepeth a great stirre and bustling about our Experience more then our Ancestours , and praieth me in his scoffing manner, *Good my Lord tell us what this new experiment was ;* and despairing as it were of success in his request , he addeth , *Since you are resolved to make a secret of this rare Experiment.* Now I have told him the secret what good will it doe him ? as much as he may put in his eye and see never a jot the worke. I told him this rare secret before in these words , *We have more experience then our Ancestours had , that their Remedies were not Sovereign or Sufficient enough, that if we give him leave to thrust in his head , he will never rest unill he have drawn in his whole head after , whilest there are no Bonds to hold him*

Rep. pa.
37.

his Nationall Lawes. But I was not bound both to write him a Lecture and find him eyes.

Now Readers looke to yourselves, our commeth the great Monster, that hath been so long threatned, (as he phraseth it scurrilously) *in the likenesse of a Drunken Dutchman, making indentures with his Legges*: so saith he *my discourse tuggers, now to the one, now to the other far distant side of the Contradiction.* The Reader shall find that the fault is not in the innocent Dutchman, who goeth straight enough: but in the Prevaricators eyes, who seeth double. Either he did never know, or he hath forgotten what a Contradiction is. The Itch or humour of Contradicting hath so far possessed him, that he regardeth not what the Rules of Contradiction are. The first Contradiction is, *That the Lawes of our Ancestours were not remedies sufficient enough, yet I maintein stoutly that in the operation no new Law was made, That is (as he collecteth) the same Lawes were both sufficient and not sufficient.* Is this the monstrous Contradiction which he promised to shew the Readers for pence a piece. The same Lawes were not sufficient in the dayes of

our Ancestours, and yet the same Lawes were sufficient in the Dayes of *Henry* the eighth: hath no shew of a Contradiction in it, nor of any the least opposition, which ought alwaies to be made according to the Rules of Logick, *at the same time*. I will shew him a hundred of these Contradictions every day in the week for nothing. *Mr. Serjeant* was no Roman Catholick, *Mr. Serjeant* is a Roman Catholick, is just such another Contradiction: or the same Plaster was not sufficient to cure such a sore one time, yet it was sufficient at another time when the Body was better disposed. All his Contradictions end in smoke and laughter.

The second Contradiction is, that I say *the Lawes of other Countries were equivalent to those of England*; but I acknowledge elsewhere that *the Lawes of other Countries were sufficient* and here I say that *the Lawes of England were insufficient*: So they were equivalent and insufficient. Here is another Contradiction like the former. The same Lawes proved sufficient to *France*, yet proved insufficient to *England*. It is another rule in Logic *Opposition ought to have the same Subject and the same Predicate without ambiguity*: but here the Predicate is diverse, *sufficient for France, not sufficient for England*.

and ambiguity more then enough. He might as well argue , The same Medicine will work upon a child , which will not work upon a Man: therefore the same Medicine is not equivalent to it self.

The third Contradiſtion is, that I ſay *All Catholick Countries did maintein their Privileges inviolate , by meanes which did not maintein them , or by Lawes which were not ſufficient to do it.* Where did I ſay this? It is his Collection not my Aſſertion : but let it paſſe muſter for once. Here is a Contradiſtion deſerves a Bell and a Bable: Catholick Countries did maintein their Privileges inviolate by ſuch means, at one time not at another, in one place not in another, in one degree not in another, in one reſpect not in another.

The laſt mock Contradiſtion is, that I ſay *The Lawes which denied the Pope all Authority, and were actually in force , that is , actually left him none , were not ſufficient Remedies againſt the abuſes of that Authority, which had quite taken them away.* This is not finding of Contradiſtions, but making of them. Give him leave to uſe this [*id eſt, that is*] and he will make a hundred Contradiſtions in every page of the Bible ; as here ,

*actually in force, that is, which actually left the Pope no Authority, or which had quite taken his Authority away. If this [id est that is] be mine, then he may object the Contradiction to me, if it be not, then he may keep the Contradiction to himself, such as it is. He knoweth, and all the world know, that a law is said to be actually in force, whilst it is unrepealed; in this sense I did, and all men but himself doe use that expression. And here he committeth a third grosse fault against the Rule of Opposition, which ought to be ever *πρὸς τὸ αὐτὸ*, in the same Respect. The Law taketh away abuses as a Rule: but the Magistrate by due execution, as an Artificer. The Law is sufficient, when it is sufficiently penned and promulged: but the effect followeth the due execution. The not observing of this obvious and easy truth, hath made us all this stirre about Imaginary Contradictions, as I have shewed in my answer to his last Paragraph, which alone is a sufficient answer to all these pretended Contradictions: but whether it will be so *actually in force* to procure his assent, is more than I know; if it do not, it detracteth*

no

nothing from the sufficiency of the answer.
Goe *Mr. Serjeant*, goe, bring us lesse
wind and more weight

Sepius in libro memoratur Perseus uno.

Quam levis in totâ Tharsus Amazonide.

In the last Paragraph is nothing but a Ca-
mmy against *Henry* the eight, which he is
not able to prove: and if he were, it nei-
ther concerneth us nor the Question,

SECT. VII.

*That the King and Church of En-
gland proceeded with due Mode-
ration.*

His Section doth not much concern
either us or the merit of the cause. A
reformation might be just and necessary,
though the Reformers did exceed the
bounds of due Moderation; neither are
they answerable for their excesses, further
than we ourselves doe maintein them. I
shall be by his pleasant Topick unsaluted, as
being impertinent, and having nothing in it
deserving the least stay of a serious Rea-
soner,

I reckoned this as the first Branch of our moderation, that we deny not to other Churches, the true being of Churches, nor possibility of Salvation, nor separation from Churches, but from Accidentall Errors. For all his scoffing, if their Church would use the like moderation, it would save the world a great deal of needless debate. Against that which I say, he objecteth thus, *Now the matter of Faith hath evidenced undeniably, that they (the Protestants) separated from those points, which were the Principles of Unity both in Faith and Government.* He hath brought his *matter of Faith* and his *Principles of Unity* so often upon the Stage already, and they have been so often clearly answered, that I will not insist upon such a threadbare subject, or trouble the Reader with an irksome repetition. We have seen how far his *Principles of Unity*, or his *Fundamentall of Fundamentalls* is true, and ought to be admitted, and in a right sense, we adhere much more firmly unto them, then the Church of Rome it self.

He proceedeth, that *the Church of England*

England defines, that our Church (the Church of Rome) erreth in matter of Faith *Artic. 19.* The words of the Article are, *Non solum quoad agenda & Ceremoniarum ritus, verum etiam in iis quæ credenda sunt*, that is, Not onely in Practicall Observations and Ceremoniall rites, but also in those things which are to be believed, that is (to use Cardinall Cajetans distinction), Not in those things which are *de fide formaliter*, in necessary Fundamentall Articles (for we acknowledge that the Church of Rome doth still retain the essentials of Faith), but in those things which are *fidei materialiter*, in inferiour Questions which happen in things to be believed, that is to say *Opinions*, wherein himself acknowledgeth that a particular Church may erre. That this is the right sense of the Article appeareth hence; that the Article doth contradistinguish *Credenda* or things to be believed, not to *Opinions*, but to *agenda* things to be practised,

He urgeth, that we have declared four points of their faith to be vain Fictions, contradictory to Gods word. *Artic. 22.*

That

That is to say, their Doctrin of Purgatory, Indulgences, their Adoration of Images and Relicks, Invocation of Saints. Right, four points of their new Faith, enjoined by *Pius* the fourth, but no Article of the old Apostolicall Faith, and at the best onely Opinions. Yet neither doth he cite our Article right, which doth not define them to be contrary to Scripture, but onely besides the Scripture, or not well grounded upon any Texts of Scripture.

He addeth, *the like Character is given of another point Art. 28. That is Transubstantiation. Our highest Act of Devotion Art. 31. is stiled a blasphemous fiction and pernicious imposture: that is, the Propitiatory Sacrifice of the Masse. Concerning Transubstantiation what is our Opinion, I referre him to my answer to Militier in the very beginning of it. And concerning their Propitiatory Sacrifice of the Masse, to the same answer pag. 152. Edit. 2. The true state of the Controversy, was not so clearly understood at first on either side as it is now. He cannot goe one step further then we doe in that cause, without tumbling into direct Blasphemy.*

It followeth, *And Art. 33. that those who*
come of from the Church publicly, should be
held as Heathens and Publicans. Well, here
 is no distinction between Roman Catho-
 icks and Protestants: And *Franciscus a San-*
cta Clara, in his Paraphrasticall Expositiō of
 the English Articles, giveth this Iudgement
 of this Article, *This Article is Catholick,*
and agreeable as well to holy Scripture as to anti-
quity. Then why doth he snarle at this
 Article which he cannot except against?
 because he conceiveth that the Article mea-
 neth Catholicks, or at least doth include them,
 Judge Reader what a spirit of Contradi-
 ction doth possesse this man, who when he
 is not able to pick any quarrell at the
 words of the Article, calumniateth the
 meaning, upon his own groundlesse suspi-
 cion.

But nothing was more common in
 the mouths of our Preachers, then to
 call the Pope Antichrist, the Church of
 Rome the Vvhore of Babilon, Idola-
 trous, Superstitious, Blasphemous: and
 to make up the Measure of his Forefa-
 thers sinnes, the Bishop calles here the
 the Principles of Unity in Faith and
 Government, errors and Falshoods.

IF

If any of our Preachers being exasperated
 some such *Bomifens* as himself, have in the
 Pulpits used any Virulence or Petulance
 against the Church of *Rome*; Let him make
 use of his stile against them, who will
 furnish him with Lettuce suitable to his
 Lips; What is that to the Church of *Eng-
 land*? what is that to us? *Quid im-
 pientes hospites vexat Canis — Ignavus ad-
 sus lupos?* Let him but observe what im-
 berry he himself taketh, without any
 manner of Provocation. But as for my self
 doth me notorious wrong, I did not men-
 tion any Principles of Vnity in this place,
 nor so much as dream of them, but that
 must needs bring them in by head and
 shoulders, in every Paragraph. All I
 was this, That we doe not separate from
 other Churches, but from their Acciden-
 tal Errours: but some men are like Nettles
 touch them gently and they sting you.

The first part of our Moderation was
 not to censure other Churches for their
 Churches, nor deny them possibility of
 Salvation, nor thrust them from our Com-
 munion; which I shewed in the Example of
St. Ciprian. In answer to this he shewed
 the unlawfulness of *Communicating with Heret-
 icks*, which is *reconciling Christ with Antichrist*.
Christ. Was not this impertinent, if he had

ed self were Iudge?

I said, it might be very lawfull in some cases, to communicate with materiall Idolaters Hereticks and Schismaticks, (that is such as erre through ignorance and frailty, not obstinacy) in Religious Duties. And for prooffe hereof, I produced the instāce of the Primitive Christians, communicating in some cases with the Hereticall *Arrians*, and the Schismaticall *Novarians*. He demands first *who forbids them to goe visit the sick?* I adde, or pray with them also? which was as much as I said there, but because he falleth with such Violence upon the point, I will now take the Liberty to expresse my self more fully. First, it is to be remembered that I did speake onely of Materiall Idolaters Hereticks or Schismaticks, not Formall. Secondly, of pious Offices not of Idolatrous Acts, nor any thing favouring Heresy or Schisme. Thirdly, I do new exclude case of Scandall, for just scandall may make that Act to be unlawfull, which in it self is Lawfull. Fourthly, I except cases of Just Obedience, the prohibition of a lawfull Superiour Civil or Ecclesiasticall, may make that Act to be unlawfull, which was Indifferent. Lastly, I distinguish between persons Learned and grounded in Religion, and persons unlearned and ungrounded; the

the former may and ought to communicate with Idolaters Hereticks and Schismaticks as far as they can with a good Conscience to gain them to the truth; the latter are obliged not to come over near to pitch least they be defiled.

The Question being thus stated, I believe the main point hath no great Difficulty in it. For they who are Idolaters Hereticks or Schismaticks onely materially, not formally, that is, against their meanings resolutions and intentions, are no Idolaters Hereticks or Schismaticks, in the eyes of God or discerning men: neither are they out of the Pale of the Church, or out of the way of Salvation as the Bishop of Chalcedon saith most truely, *VVe allow all those to have saving Faith, to be in the Church, in way of Salvation, for so much as belongeth to Faith, who hold the Fundamentall points, and invincibly erre in non Fundamentalls.* But all Idolaters Hereticks and Schismaticks, who are onely materially Idolatrous Hereticall or Schismaticall, doe erre invincibly: for if they erre vincibly, then they were formall Idolaters Hereticks or Schismaticks.

De
Fundam^{en}
menti.
cap. 2.
pa. 62.

Thua

Thus much I lay down for certain ; the
 I only propose , that although they
 were formall Hereticks or Schismatics,
 yet they are not altogether out of the Pale
 of the Church , but onely in part, *Ex ea*
parte in textura compage deinentur, in cetera
cessi sunt, So farre they are woven into the web,
 for the rest they are divided, as *St. Austin* saith,
 and *Bellarmino* out of him acknowledgeth,
 that they are absolutely in the Church, un-
 till they goe out of it by Obstinacy, (which
 they who are onely materially Hereticks or
 schismatics do not) : and after they are
 gone out of the Church by Obstinacy, yet
 they are still in the Church *secundum aliquid*
simpliciter, not absolutely but respectively or
in part. And after he hath vapoured a long
 time to no purpose, thus much is acknow-
 ledged by himself, as long as Schismatics
 are not hardened into an Obstinacy (as no Schis-
 matics are who are onely materially
 schismaticall), there is a prudentiall Latitude
 allowed by the Church, delaying her Censures
 as long as she can possibly, without wronging her
 Government; as was de facto practised in
 England till the 10 of *Queen Elizabeth*.
 This is full as much as I said, that it may be
 lawfull to communicate in some cases with
 materiall Schismatics.

Aust. li.
1. de
baptis.
cont.
Donat.

Bell. de
Eccl. l.
3. ca. 4.

pag.
585.

And

And whatsoever I said, was rather to
 make a Charitable Construction of their
 materiall Idolatry, then out of fear that
 they should be able, to attaint us of any
 Schisme either materiall or formall: if he
 had any thing of reality to object against us,
 he would be ashamed to intimate our in-
 clinations to favour Arrianisme, which he
 himself knoweth our soules abhorre, and
 which he himself knoweth to be expressly
 condemned, in the second Article of our
 Church. He may find my Instances of the
 Primitive Christians, communicating
 with the *Arrians* and *Novatians* in Church
 Offices, in my answer to the Bishop of Cha-
 cedons Preface, pa. 36, if he have any thing
 to say to them. Neither was it at the first
 sprouting of the *Arrian* Heresy, but after
 they had formed severall Doxologies to
 themselves; nor at the First beginning of
 the *Novatian* Schisme, but towards the
 Conclusion of it. I cited *St. Cyprian* for
 no other purpose, but to shew that his mo-
 deration in abstaining from censuring
 did preserve him free from Schisme, and
 though he was in an errour. When *Optatus*
 called the *Donatists* his Brethren, he did not
 mean his Brethren in *Adam*, but his Bre-
 thren in Christ, and wonders why his Bre-

other *Parmenian* (a *Donatist*) would ranke
 himself with *Hereticks*, who were falsifiers of
 the *Creed*. If this be the infallible marke
 of an *Heretick*, Let *Pius Quarinus* and his
 party looke to themselves.

I disliked a position of his, which the
 Reader shall have in his own words, *I can-
 not say my Religion is true, but I must say the
 Opposite is false; mine is good, but I must say
 the Opposite is naught; mine necessary, but I
 must Iudge that which is inconsistent carries to
 damnation. Therefore who does not censure a
 Contrary Religion, holds not his own certain, that
 is, both none.* Upon this he pursueth me
 with a full Crye, that the *Common Principle
 of Nature* [if any thing be true the Opposite is
 false], or [a thing cannot both be and not be at
 once], is denied by the Bishop. Stay *Mr.
 Serjeant*, be not so fierce; the Bishop know-
 eth as well as your self, that the disjunction
 of Contradictories is eternall: and it see-
 meth by what passed lately between us,
 that he understandeth the Rules of Op-
 position or right Contradiction better then
 your self.

First the *Emphasis* lieth not in the word
 [true], but in the words [say] and [censure].
 Cannot a man believe or hold his own Re-
 ligion to be true, but he must necessarily say
 or censure another mans, which he conceiveth

to be opposite to it, to be false. Truth and Falshood are Contradictory, or of eternall Disjunction; but there is a meane, between believing or holding mine own Religion to be true, and saying or censuring another mans (which perhaps is oppolite) to be false, both more prudentiall and more charitable, that is, silence; to looke circumspectly to myself, and leave other men to stand or fall to their own Maister. *S. Cyprrian* did believe or hold his own Opinion of Rebaptisation to be true, yet did not censure the opposite to be false, or remove any man from his Communion for it. *Rabshakeh* was more censorious then *Hezekiah*, and down right Atheists then conscientious Christians.

Secondly, that which he calleth his Religion, is no more in truth then his Opinion, and different Opinions are stiled different Religions. In opinions it is not necessary to hold with any party, much lesse to censure other parties. Sometimes seeming different Opinions are both true, and all the Opposition is but a Contention about words, and then mutuall censures are vaine: sometimes they are both false, and then there is more use of Mutuall Charity then mutual Censures: and evermore when

ther true or false, an Errour against Charity, is much greater then a meer speculative errour in Iudgement. Prejudice and selflove are like a coloured glasse, which makes every thing we discern through it, to be of the same colour: and on the other side rancour and animosity, like the tongue infected with Choller, maketh the sweetest meats to taste bitter; In each respect censures are dangerous and his principle pernicious, that *He who doth not censure every Religion which he repudieth contrary to his own, hath no Religion.*

I set down some Principles, whereof this is the first, [particular Churches may fall into Errours.] He answereth, *is true if by Errours he means Opinions onely.* No, I mean Fundamentall Errours also: and not onely fall into some Fundamentall Errours, but apostate from Christ and turn Turkes, and change their Bible into the *Alchorā*; whereof we have visible experience in the world. He answers, that *Principle is not so undeniable as I thinke, in case that Particular Church adheres firmly to her rule of Faith, Immediate Tradition.* Well, but we see visibly with our eyes, that many particular Churches have not adhered to any Tradition, Universall or Particular, Mediate or Immediate, but have abandoned all Aposto-

licall Tradition, then to what purpose serveth his Exception, in case that Church adhere firmly to immediate Tradition, when all the World seeth that they have not adhered firmly to Apostolicall Tradition? His Preservative is much like that, which an old Seaman gave a freshwater Passenger when he was to goe to Sea, to put so many pibble stones into his mouth, with assurance that he should not cast, whilest he held them between his teeth. What sort of Tradition ought to be reputed Apostolicall, what not, I have shewed formerly.

My second Principle was, that [all Errours are, not Essentiaalls or Fundamentalls]. He demands, *what is this to his Proposition which spake of Religion, not of Opinions?* Very much because he maketh Opinions to be Essentiaalls of his Religion (as wee see in the new Creed of *Pius* the fourth), so do not we. To the third Principle we agree thus farre, that an Errour *de fide formaliter*, or in those things which are Essentiaalls of Faith doth destroy the being of a Church. I adde, that Errours in those things, *Quæ sunt fidei materialiter*, that is, in Inferiour Questions which happen in or about things believed or which are not in Essentiaalls, howsoever they may be lately crowded into the

Catalogue of Essentialls, do not destroy the being of a Church.

My fourth Principle was, that [every one is bound according to the just extent of his power, to free himself from such Errours as are not in Essentialls.] He answereth, *Why so my Lord? if those errors be not Essentiall, they leave according to your own Grounds sufficient means of Salvation, and the true being of a Church; How prove you then you ought to break Church Communion? &c.* As if no Errours ought to be remedied, but onely those which are absolutely exclusive from all hope of Salvation: as if those Errours which are onely impeditive of Salvation, ought not to be eschewed. The least Errour maintained or committed against the dictate of Conscience is a sinne; every good Christian ought to doe his uttermost endeavour to free himself from sinne; it is not lawfull to doe evill that good may come of it. Yes, saith he, but *not to break Church Communion which is essentially destructive to the being of a Church, or to endanger our soules where there is no necessity.* First, they who free themselves from known Errours, doe not thereby break Church-Communion: but they who make their Errours to be a

Brief
Survey
cap. 2.
f. 4.

Condition of their Communion. Let him
heare the Conclusion of the Bishop of Chal-
cedon. *In case a Particular Church do require
profession of her Heresy, as a Condition of Com-
municating with her, Division from her in this
case is no Schisme or sinne, but virtue and ne-
cessary; Where he speaketh onely of ma-
teriall Heresy. It was they who made
their Errours the Condition of their Com-
munion, and therefore the Schisme and sin
lyeth at their doores. Secondly, Schisme
doth not destroy the being of a Church, for
the Church continueth a Church still, after
the Schismatics are gone out of it: but it
destroyeth the Schismatics themselves.
Lastly, to free our selves frō known Errours,
when they are made Conditions of Com-
munion, is so far from being dangerous to
salvation, that as the Bishop confelleth
truely, it is virtue and necessary.*

The second prooffe of our Moderation
was our Charity, that we left them as one
should leave his Fathers house, whilest it
is infected with some contagious Sicknesse
with an hearty desire to return again so
soone as it is cleansed. This Charitable de-
fire of ours, I prooved by our daily prayer
for thē in our Letany, that God would bring
them out of the way of Errour into the way

of truth: and particularly by our prayer on Good Fryday for them, That God would have mercy upon all *Hereicks*, and fetch them home to his Flock, that they may be saved among the remnant of true Israelites, and be made one fold under one Shepheard Iesus Christ our Lord. And this our Charity is the more conspicuous by this, that in *bullacane*, that is the next day before, anniverfarily, they doe as solemnly curse and Anathematize us. To this he answereth, first that *they doe more for us*, and hazard their lives dayly to convert us. They hazard their lives to serve a forrein interest; not to convert, but to pervert as many as they can; not to sow good seed in the Lords Field, but to superseminate, or sow Tares above the wheat. We should thank them more to stay at home, then to compassse Sea and Land to gaine Profelites as the Pharisees did, and made them twofold more the Children of Hell then themselves. He saith; that *this is the solempne Curse of their Church every Good Friday*. Let it be so: but they have not the same incentive and provocation which we have, we do not curse and Anathematise thẽ the day before, as they doe us. This Advantage we have over them, that we render blessing for cursing, which they doe not.

He addeth, that *they cannot be understood under the notion of Hereticks*; first because we acknowledge theirs to be a true Church, and therefore not hereticall; Secondly they are Christs Flock already, and therefore not reducible to his Flock. To the First I answer, that particular Church which is onely materially Hereticall, not formally, doth still continue a true Church of Christ. The Bishop of Chalcedon understood these things much better then himself, this is confessed by him in the place formerly alleged, A particular Church may be really Hereticall or Schismaticall, and yet morally a true particular Church, because she is invincibly ignorant of her Heresy or Schisme. We agree with him wholly in the sense, onely we differ in the expression. What he calleth really Hereticall we stile materially Hereticall; and what he calleth morally a true Church, we use to stile Metaphysically a true Church, that is by truth of Entity not of Morality. Secondly I answer, that the Flock of Christ is taken variously, sometimes more largely, sometimes more strictly; more largely for all those that are *In domo*, by outward profession; more strictly for those who are *Ex domo*, so in the Church, that they are also of the Church, by inward Sanctification. And our Collect hath reference to this later ac-

Brief
Survey
cap. 2.
sect. 4.

ception

ception of this word [*Flock*]: So Fetch them
 some blessed Lord to thy *Floek*, that they may
 be saved.

He taketh it ill, that our Church hath chāged
 these words in the Missall [*recall them to our*
holy Mother the Catholick and Apostolick
Church], into this dwindling puling puritanicall
 expression, of [*one Floek and one Fold under one*
shepherd]. Whether it be because he hath
 Pick against Scripture phrases, as foun-
 ding too preacherlike; or rather because
 our Church did presume to name the right
 shepherd *Iesus Christ*, and not leave it to
 their Glosses to entitle the Pope to that Of-
 fice. But certainly the Authority of the
 Catholick Church, is not formidable at all
 to any Genuine Sonnes of the Church of
 England.

I doe readily acknowledge, that it is
 the duty of each Orthodox Church to
 communicate Formall Hereticks, and
 them who swerve from the Apostles
 Creed as the rule of Faith: but this doth not
 oblige the Church of England to Excom-
 municate all materiall Hereticks, who fol-
 low the dictate of their conscience, in inse-
 parable Questions which are not Essentials of
 Faith, and do hold the truth implicitly in the
 preparation of their minds. Neither do
 we ever know that the Church of England
 did

did ever excommunicate Papists in *gro*
qua tales, but onely some particular Papists
 who were either convicted of other Crime
 or found Guilty of Contumacy. It were
 to be wished, that the Court of Rome would
 use the same Moderation, and remember
 how *Ireneus* reprov'd Pope Victor, that
Euseb. li. *had not done rightly, to cut of from the Vnity*
5. cap. *the Mysticall body of Christ, so many and*
24. *great Churehes of God.* This is that gre
 nonsense, which this egregious Prevarica
 tour hath found in our Collect, that
English Church cannot reconcile her doctrine
her practise together. Let him not trouble
 head with that, but rather how to reconci
 himself with his own Church. He will
 have prayers to be onely words no works
 but his Church maketh Prayer, Fasting and
 Almes, to be three satisfactory works.

pn. 590

My third proove of our Moderation was
 that we doe not challenge a new Church,
 new Religion, or new holy Orders: but
 derive our Church, our Religion, our
 Holy Orders, from Christ and his Apostles
 by an uninterrupted Succession; we obtrude
 no Innovations upon others. All this
 quite omitted by this great pretender to Sim
 cerity, and yet he knoweth or may know
 that there have been, pretended Reformers
 who have committed all these excesses

he catcheth hold of two words of my
 fference, that we have *added no thing* (I
 ish they could say as much) nor *taken*
any thing but Errours. To the former patt
 excepteth, that he who *positively denies*,
 er adds the contrary to what he takes away;
 that makes it an Article there is no Purga-
 y, no Masse, no prayers to Saints, hath as
 any Articles as he who holds the Con-
 ary. I have taken away this answer be-
 re, and Demonstrated that no negative
 can be a Fundamentall Article, or necessary
 Medium of Salvation, because it hath no
 nity; That there are an hundred greater
 pures and Contradictions among them
 ves, in Theologicall Questions, or in
 e things *qua sunt fidei materialiter*, then
 ose three are between us and them: Yet
 ey dare not say, that either the Affirmati-
 es or Negatives are Articles of Faith. The
 Christiā Church for fifteen hundred yeares,
 ew never more then 12. old Articles of
 aith, untill Pius the 4th added twelve new
 articles. And now this young *Pythagoras*
 ill make us more then 1200. Articles,
 affirmative Articles and Negative Arti-
 es, Fundamentall Articles and Super-
 ructive Articles. Every Theologicall truth
 hall either be a Fundamentall Article, or an
 different and unconcerning Opinion.

He

pag.
593.

He saith, *our 22. Article defineth the Purgative to Purgatory: yet I like an ill tunc Child, tell my old Crasy Mother the Church of England that she lies.* I hope by this time the Reader knoweth sufficiently, that this penne is no slander. If the Church of England did ever ill, it was when she began him. Neither doe I tell the Church of England she lies, nor dissent in the least from the Definition of the Church of England, neither doth the Church of England deny any of these Questions as necessary to be believed, either *necessitate medi*, or *necessitate precepti* which is much lesse, but only bindeth her sonnes for peace sake not to oppose them. But he himself can hardly be excused from lying, where he telleth *the good simple Ministers did sweare to maintain them.* Perhaps he was one of the simple Ministers, did he ever sweare to maintain them? did he ever know any man who sweare to maintein them? For him to urge such falshoods after they have been often detected, is double Effronterie, *Atque ruisse puto cui pudor perit.* He inferreth further, *By the Bishops Logick, these propositions that there are not two Gods, that the damned shall not be saved, nor the Saints in Heaven damned, that there is no Salvation*

though Christ ; must cease to be Articles of
 Faith, and become indifferent unconcerning
 Opinions, because they are Negative. I wish
 no more disparagement to any man, then to
 the authour of such an absurd assertion,
 whether they are *Fundamentall Articles*, or un-
 concerning *Opinions*. How should they
 cease to be Articles, which never were Arti-
 cles ? That there is one God, and one Sa-
 viour Iesus Christ, that the life of the Saints
 everlastling, and the Fire of the devills
 everlastling, are Articles of Faith : but
 every thing which may be deduced from
 these, is not a distinct Article of Faith.
 To the latter part of my plea *that we*
take nothing away but weeds, he pleadeth,
 that it is but a self supposition, or a
 begging of the Question. By his leave,
 I have demonstrated that all the Bran-
 ches of Papall power, which are in
 controversy between them and us, are all
 grosse Usurpations and weeds, which did
 ever sprout up in the Church of England
 still after 1100 yeares ; no man can say
 without shame, that such were planted by
 Christ or his Apostles. Secondly he ex-
 cepteth, that to take away *Errors*, is a requi-
 site act of Justice, not a prooffe of Moderation :
 on the contrary, therefore it is a
 prooffe of Moderation, because it is a
 requi-

requisite Act of Iustice; all virtue consisteth in the meane or in a moderation. It is not in particular, pretended, supposititious Tradition, which doth secure us that Christ was and that the Holy Scripture is the Genuine word of God; but the Vniversall and perpetuall Tradition of the Catholick Church of Christ.

My last prooffe of our Moderation was that we are ready in the preparation of our minds to believe and practice, whatsoever the Catholick Church of this present Age doth believe and practice. And this is an infallible preservative to keep a man within the Pale of the Church, who ever doth this Cordially, cannot possibly become a formall Heretick or Schismatick, because he is invincibly ignorant of his Heresy or Schisme; *No man can have iust cause to separate his Communion, a Communion of his Terrarum, from the Communion of the Christian world.* If he would have confuted this, his way had been to have proposed something which the Christian World unitedly doth believe or practice, which wee are not ready to believe or Practice. This he did not so much as attempt to doe, but barked and raileth without rime or reason. First he telleth us we say that there is no Vniversall

*Ang.
Epi.
48.*

of all Church. Chuse Reader whether thou
 wilt believe him or our Leiturgy, wherein
 we pray dayly, that God *will inspire the*
universall Church with the Spirit of
truth Unity and Concord. He telleth
 us, that *they do not doubt but we have*
renounced our Creed. Chuse Reader
 whether thou wilt believe him or our Lei-
 turgy, wherein we make profession dayly
 of the *Apostolick, Nicene, and Athanasian*
Creeds. He telleth us, that we have re-
 nounced our reason. If he had said onely that
 we had lost our reason, it is more then any
 man in his right wits would say: but to
 say we have renounced our reason, is in-
 credible.

The reason of all this is, because we give
 therein Rule to know a true Church from an
 Hereticall. He supposeth, that no Hereti-
 call Church is a true Church. The Bi-
 shop of Chalcedon may instruct him better,
 that an Hereticall Church is a true Church
 whelst it erreth invincibly. He saith that
 we hath lived in Circumstances, to be as
 well acquainted with our Doctrin as
 most men are: Yet he professeth that
 if his life were at stake, he could not
 deter-

*Determine absolutely upon our Consta
Grounds, Whether Presbyterians An
baptists or Quakers are to be exclud
from the Vniversall Church or no.* T

nearer relation that he hath had to the
Church of *England*, the more shame f
him to scoffe so often at the supposed N
kednesse of his Mother, and to revile h
so virulently, without either ground
Provocation, which gave him his Christi
being. He hath my Charitable Iudgeme
of Presbyterians, in my Reply to the Bish
of *Chalcedons* Epistle. And for the oth
Sects, it were much better to have
little patience and suffer them to dye
themselves, then trouble the world
much about them: they were produced i
Storme and will dye in a Calme. He m
be sure they will never molest him, at a
Councell either Generall or Occidentall
is honour enough for them to be named
earnest by a Polemick writer.

But what manner of Disputing is this
bring Questions in stead of Arguments?
what new Form of Discipline the Pro
stants have introduced? What are the c
tain Conditions of a right Oecumenic
Councell? What is the Vniversall Church
and of what particular Churches it de

conf

consist? What are the notes to know a
 true Church from an Hereticall? We
 have introduced no new discipline, but
 retained the old. Our Conditions of a
 right Oecumenicall Councell, are the
 same they were, not altogether so rigo-
 rously exacted in case of invincible ne-
 cessity. We are readier to give an ac-
 count of ourselves, then to censure others:
 rather to intrude ourselves into the Office
 of God, to distinguish perfectly for-
 all Schismatics from materiall; Or
 to the Office of the Catholick Church,
 to determine precisely who ought to be
 excluded from her Communion, who not.
 We exclude all those whom undoub-
 ted Generall Councells have excluded,
 the rest we leave to God, and to the de-
 termination of a free Councell as Gene-
 ral as may be. But because I would not
 leave him unsatisfied in any thing, I am con-
 stituted to admit their own Definition of the
 Universall Church, That is, *the Company*
of Christians knit together by the profession of the
same faith, and the Communion of the same Sa-
craments, under the Government of lawfull Pa-
stors. Taking away that purple patch,
 which they have added at the latter end of
 for their own Interest, And especially of
 the Roman Bishop, as the onely Vicar of
 Christ

Christ upon Earth. And if they had stinted at a Primacy of Order, or beginning of unity, I should not have excepted against it.

He objecteth, that *Protestants have no grounds to distinguish true believers from false.* That were strange indeed, whilest we have the same Scriptures, interpreted by the same perpetuall Tradition of the Univerfall Church, according to the same Analogy of Faith (wherein we give this honour to the Fathers, not to be Authours but witnessers of Tradition); whatsoever grounds they have to distinguish true believers from false, we have the same. But because I made the Apostles Creed to be the rule of Faith, he objecteth, First, *then the Puritans who deny the Article of Christs descent into Hell, may be excluded quite from the Univerfall Church.* If they be so, what is that to the Church of England? if they be turned out, yet let them be heard first. They plead that the manner of Christs descent is not particularly determined; but let it be determined or not, they ought to be turned out of the Univerfall Church by a Generall Councell; and it may be they will submit to the Authority of a Generall Councell, then there will need no turning out. Secondly he objecteth, *a man may reject all Government of the Church*

the Proceſſion of the Holy ghoſt, all the Sacra-
 ments, all the Scriptures, and yet continue a
 Member of Gods Church. Why ſo? When
 I ſaid the Creed was a ſufficient Rule of
 Faith, or *Credendorum* of things to be belie-
 ved; I neither ſaid nor meant, that it was
 a *regula agendorum*, a Rule of ſuch things as are
 to be practiſed; ſuch as the Acts of diſcipline
 and of the Sacraments are. The Creed con-
 tained enough for Salvation, touching the
 Proceſſion of the Holy Ghoſt, before the
 words [*Filioque*] were added to it; and there
 was no great cauſe to doubt, that the Contentions
 of the Eaſtern and Weſtern Churches about
 this Subject, are but a meer *Logomachy* or
 ſtrife about words. The Scriptures and
 the Creed are not two different Rules of
 Faith, but one and the ſame Rule, dilated in
 the Scripture, contracted in the Creed;
 the end of the Creed being to contain all
 fundamentall points of Faith, or a ſummary
 of all things neceſſary to Salvation, to be
 believed *Neceſſitate medi*; But in what par-
 ticular writings all theſe fundamentall
 points are contained, is no particular
 fundamentall Article it ſelf, nor con-
 tained in the Creed, nor could be con-
 tained in it; ſince it is apparent out of
 Scripture it ſelf, that the Creed was

made and deposited with the Church as a Rule of Faith, before the Canon of the new Testament was fully perfected. *Arians* and *Socinians* may perhaps wrest the words of the Apostles Creed, to their Hereticall Sense: but not as it is explained by the first foure Generall Councells, which all Orthodox Christians doe admit. He saith, they and we differ about the sense of two Articles of the Creed, that is the descent of Christ into Hell, and the Catholick Church, but setteth not down wherein we differ. He hath reason to understand our Differences, having been of both Churches; but I for my part do rather believe, that he understandeth neither part right. Howsoever it be, the Different Sense of an Article doth make an Heretick, after it is defined by the Vniversall Church, not before.

He saith, *he hath already shewed in the foregoing Section, that the Protestant Grounds, have left no Order and Subordination of Vniversall Government in Gods Church.* But he hath neither shewn it in the foregoing Section, nor any where else; nor is able to shew it. We have the same subordination that the Primitive Church, of Inferiour Clergy to Bishops, of Bishops to Archbishops, and of Archbishops to Patriarchs, and of Pa-

archs to a Generall Councell, or as Gene-
 rall as may be. Let him shew any one
 linke of this Subordination that we have
 weakened. I said [we acknowledge not a
 Virtuall Church, or one man as infallible as
 the Vniverfall Church]: He rejoineth,
Nor they neither. I wish it were so Gene-
 rally: but the Pope and Court of *Rome*,
 who have the power of the Keys in their
 hands (whō onely we accuse in this behalf)
 do maintain the Contrary; that a Generall
 Councell without the Pope, may erre; that
 the Pope with any Councell Generall or
 particular, cannot erre; that the infallibility
 of the Church is radicated in the Pope, by
 virtue of Christs prayer for *S. Peter*, that his
Chair should not faile, not in a company of
 Counsaillers, nor in a Councell of Bishops;
 that the Pope cannot define temerariouly,
 in matters of Faith or good manners,
 which concern the whole Church. What
 Generall Councell is, and what the
 Vniverfall Church is, and who ought
 to be excluded from the one or the other
 Hereticks, I have shewed already;
 namely, all those and onely those, who
 either renounce their Creed, the
 badge of their Christianity, the same
 Faith whereinto they were baptised;

or who differing about the sense of any Article thereof, have already been excluded as Hereticks, by the sentence of an undoubted Generall Councell.

Howsoever he sleighteth the Controversies which they have among themselves concerning the last resolution of Faith, as if they were of no moment : yet they are not of so little concernment to be so sleighted. What availeth it to say they have the Church for an infallible Iudge; whilest they are not certain or do not know what the Church is, or who this infallible Iudge is? May not a Man say unto them as *Elijah* said unto the Israelites, *Why halt ye between two Opinions*? Or rather why halt yet betwixt five or six Opinions? If the Pope alone be infallible Iudge, follow him; If a Generall Councell alone be this infallible Iudge, follow it; If the Essentiall Church be the infallible Iudge, Adhere to it; If the Pope and a Generall Councell, or the Pope and a particular Councell, or the Pope and his Conclave of Cardinalls, be this infallible Iudge, follow them.

He telleth us, that *their Vniversall Church is as Visible as the sun at Noone day, to wit those Countreyes in Communion with the See of Rome.* Without doubt they are Visible enough

enough: but it is as Visible, that they are
 not the Vniversall Church. What shall
 become of all the rest of the Christian
 world? They are the elder Christians, and
 more numerous fower for one, both Pa-
 triarchs and people. It is against reason
 that one single Protopatriarch, should cast
 out fower out of the Church, and be both
 party and Iudge in his own Cause. But here
 ends not; If the Pope will have his Vifi-
 ble Church to be one Homogeneous body,
 he must cast out a great many more yet,
 and it is to be suspected this very *Dispatcher*
 himself among the rest, for all his shewes.
 They flatter the Pope with Generall Terms
 of *Head*, and *Chief Governour*, and *First*
Mover, which signify nothing: but in rea-
 lity they would have the Pope to be no
 more, then the Duke of *Venice* is in the *Ve-*
necian Common wealth, that is, lesse then
 any single Senatour: Or that which a Ge-
 nerall Maister is in a Religious Order; A
 more all Priours and Provincials, but sub-
 ject to a Congregation Generall. Wherein
 do these men differ from us?

Bell. de
Concil.
lib. 2.
cap. 14.

Sect. 8.

That all Princes and Republiques of the Roman Communion, doe in effect the same thing which Henry the eighth did, when they have Occasion; or at least doe plead for it

This was the Title and this was my scope of my Fifth ground; which I made good by the Lawes and decrees of the Emperours, with their Councells and Synods and Electorall College: by the Lawes of France, the Liberties of the Gallica Church, the Acts of their Parliaments, and declarations of their Vniversities: By the practise of the King of Spain, his Councells, his Parliaments, in Sicily, in Castile in Brabant and Flanders: By the sights of Portugall and their bleedings, and the Iudgement of the Vniversity of Lisbon. By the Lawes and Proclamations of the Republick of Venice. This I made good in every particular branch of Papall power which we have cast out of England; the Patronage of the English Church, The right to call and confirm Synods, to conferre Benefices, to receive Tenths and Firstfruits and Oaths of Fidelity, and concerning

ing the Supreme Legislative Dispensative
and Iudiciary power, in all things pertei-
ning to the Externall Regiment of the
Church. To all this, neither the Bishop
of Chalcedon nor *Mr. Serjeant*, either in his
former Answer or in this rejoinder (al-
though provoked), have offered one word
of Answer.

This Plea doth utterly destroy their pre-
tence of *Divine right* and of *uninterrupted Tra-*
dition, for all theie Branches of Papall po-
wer. Can any man be so stupid as to Ima-
gine that to be of *divine right*, which was first
brought into the Church, with so much
Opposition, after eleven hundred yeares?
That to be grounded upon perpetuall and
Univerfall Tradition, which hath been op-
posed in all Ages since it was devised, in all
places, by all sorts of persons; Kings and
their Parliaments and Councells, Synods
and Vniversities, Divines and Lawiers?
What shamefull Tergiversation is this,
which no ingenious Adversary could be
guilty of, but out of invincible necessity?
Thus he served me where I produced all our
old English Lawes. Thus he served me
where I produced their own Authours to
testify the intolerable extortions and Vsur-
pations of the Romā Court. Thus he serveth
me here, and in place of so many lawes and

Pro-

Proclamations, and Placaets, and Synodals
A&ts, and Iudgements of Vniuersities, he
shuffleth in so many of his fiddle-fadd
Contradictions, which are not all worth
deafe Nut. If it were not that I have pro-
ceeded so far already; and *Toto devorato B*
ve, turpe est in Cauda deficere, I would not
Vouchsafe to answer them but with Con-
tempt.

Thus he begins, *Nine or ten self Contradictions in one Section*. He speaketh modestly
if there be one, there are nine hundred.
This word [in effect] saith he, *deserves*
Comment. It hath a Comment, wherein he
feigned Contradictions were satisfied, be-
fore they were hatched by him; the more
uningenious person he, to take no notice
of it. He may find it in my reply to the
Bishop of *Chalcedon* cap. 7. f. 2. pa. 24.
Other Princes of the Roman Communion
have made lawes as well as we, to renounce
and abrogate all those branches of Papall
Authority which we cast out, that is, onely
Papall Vsurpations: but neither they nor
we ever *defined against Essentiall right*. We
deny not to the Pope a Superiority of Order
above the Archbishop of *Canterbury*, but
we deny him a Superiority of power in the
Exterior Court, that is, we deny him the
supreme Iudiciary Power: so did they. King
Henry

Henry the eighth abolished the Jurisdiction of the Bishop of Rome within his Dominions, but the Emperours did not so; If they did not so, yet if they pleaded for it, or justified it, it is as much as I said: And if they did it by parcells (as I have shewed they did) though they did it not in grosse, it is the same thing in effect. Our Ancestours threatened the Pope to make a wall of Separation between him and them, not by making a new Law, for it was the Common Law of England; but by declaring the Law, by executing the Law: And though they had threatened him to make one generall Law, against all his Vsurpations in grosse; yet formerly having made single Lawes against the same in particular, it was but the same in effect. This sucking Contradiction hath been answered sufficiently in the last Session. He saith, *our Controversy is not about the extent of Papall Power, but about the right of self.* The just Contrary is true; Our Controversy is onely about the extent of Papall Power, or about those particular Branches of Papall power which we have cast out. He loves to hover in Generalls; but we shall bring him willingly, or against his will, to descend to particulars.

He

He taketh notice here, of my complaining that they answer not particulars, and I assure the Reader that if their cause would have born it, they would have answered them. Observe but how tame he is upon this Provocation, that useth to be so fierce without any Provocation. All the Answer it doth extort from him is, *Was ever man so ignorant of the common Lawes of Disputing? Need any more answer to be given to particulars which one yields to, then to say he grants them?* If he be over much acquainted with the Lawes of disputing, *Reddat mihi Minam Diogenes*. Let him who taught me Logick give me my Money again. But it is well we have his *Concedo omnia &c*, We grant all his particular Instances of these Contests between Kings and Popes: Yet not so very well neither for what he granteth with one hand, he taketh away with the other, *Not entering into that dispute, how farre they were done Justly, how farre unjustly, which is little to our purpose, since the Authority it self is acknowledged on both Sides*. It is little to their purpose indeed, but it is much to ours. Is the Papall Power acknowledged, where the Popes Sovereign Power, his Legislative power, his Iudiciary Power, his dispensative power are all opposed?

ed? Much good may his *dry Papacy* (as he pleaseth to call it sometimes) do him. In every one of these Instances, besides meer matter of Fact, there is an Inference to matter of right. The *Common Lawes* of *Disputing* require that he should have answered that, as well as granted the other. If his *Dispatches* be such as this, he may dispatch more answers in a day, then *St. Austine* could have made *Oppositions* in a year.

When I said, what is the Ground of his Exception, Nothing but a Contradiction? he urgeth, that *I make account a Contradiction a matter of nothing*. No, but I meant that this vain Objecting of Imaginary Contradictions, is a matter of nothing. Twenty of them will not amount to one Fleabiting: and I shewed him, that this ridiculous Contradiction which he bringeth here, is such an one. The pretended Contradiction is this, that *their Doctrin concerning the Pope is injurious to Princes, and prejudices their Crownes: and yet, that they hold and doe the same in effect against the Pope that Protestants doe*. A doughty Contradiction; both parts are as true as can be, *referendo singula singulis*,
refer-

referring what I said to the right Subject
as I applied it. The Doctrin of the Pope
and Court of *Rome* is injurious to Princes
(of whom I speake expresly and no others
and yet soveraign Princes and their Coun-
cells have held and done, the same thing
against the Pope in effect that Protestants
doe. Iust such another Contradiction as
this, The *Guelphes* are for the Pope against
the Emperour: yet the *Gibellines* are for the
Emperour against the Pope, and both Fa-
ctions Roman Catholicks. Thus he chan-
geth Subjects, and Predicates, and times
and respects, and all Rules to make a Con-
tradiction. But his defence is more ridi-
culous then his pretended Contradiction.
That the *substance of the Popes Authority*
the point which belongs to me to impugn. So
the Contradiction lieth not in what I dis-
say, but what I should have said, or rather
what he would have had me to have said.
When his *Substance of Papall Authority*, has
lost all its extent (which he gives every man
leave to question), it is an *Indivisible* indeed.
His second Exception is just such another.
I pleaded that [I speake expresly of the Pope
and Court of *Rome*]: He rejoineeth, *No*
Lord, but I would not let you change the Subject
of the whole Question. If he will change the
sense

he must take the Contradiction upon himself. These are the *Common Rules of* *Living* with this great Dictatour in London.

I chanced to say, that [our Religion and theirs is the same]. He bids me *answer* *seriously, whether the Roman Religion and ours do differ in this very point of the Popes Supremacy?* If the Roman Religion be the Christian Religion, then our Religion is the same. Every Difference in this point or another point, doth not make a Diverse Religion. A Garden weeded and a Garden weeded is the same Garden. We esteem an honour to be Christians, and no Disgrace to us that we are no Papists; what they think of us concerneth themselves not. We do gladly admit the old Apostolical Rule of Religion: but we like not their new Rules or new Creeds. And we are ready for peace sake, to attribute as much to the Pope as many of their own Doctors doe, that is, a Primacy of Order at the beginning of Vnity: and the not accepting of this, renders them guilty of Schisme and breaking the Vnity of Gods Church. He demandeth, *if these rigorous Assertions be not the Generall Tenet of their Church, whom do we impugn?* We impugn

impugn the Pope and Court of Rome whose Tenets these Rigorous Assertions are upon which they grounded their manifold Vsurpations, which we have cast out deservedly; and for so doing they have excommunicated us, and so broken the Vnity of the Church. The substance of the Popes just Authority is no more then a Primacy of Order, or beginning of Vnity the most; This we have not cast out. And this Act we can justify, by *betier Logick* then he can oppose it. We know the Pope has sometimes remitted of his rigour, when he was not able to make good his sentence by force: but it will trouble him to find one instance of a Pope who hath ever retracted his unjust censures out of pure Conscience, or acknowledged his unjust Vsurpations. Whether he did or no, we do not much regard, being done with an erring Key. Many Millions of Christians are saved, which are out of *his Catholick* works.

Next follow two heavy Contradictions able to make *Miloes* back crack with their weight. Take them in his own words, for they are even absurd enough without any Aggravation. The Bishop said, that *Catholick Kings, abetted by their Doctors and Casuists, did resist the Pope in his Vsurpations*

our here to shew how some Doctors at so-
 metimes elcaped the Popes Clutches, he
 saith, that *the Pope and his Court have some-
 thing els to doe, then to enquire after the Tenets of
 private Doctors.* Why may not this grow
 to be a Contradiction in time? It is no
 Conciliation already. The other Contra-
 diction is yet more silly. I said, perhaps some
 of those Doctors lived about the time of the
 Councils of Constance and Basile: that
 none Enuntiation, what is the other? Nay
 there is none at all of mine. Yet he cryeth
 up another self contradiction. How? A
 Contradiction of one Proposition? A Con-
 tradiction with a *Perhaps*? Such a Con-
 tradiction was never heard of in our dayes,
 nor in the dayes of our Forefathers. But
 though it be not a self Contradiction, yet per-
 haps it may contradict the truth: No truly;
 it contradicts the Truth no more then it self.
 will take away the [perhaps] to give him
 line enough. *Some of the Opposers lived in
 his last Age:* Yet the Bishop saith some of them
 lived in the time of the Councils of Constance.
 This is the first time that ever a Con-
 tradiction was pretended betwixt two
 particular Propositions such as these. He
 saith, that none can tell what I meane
 their living out of the Popes reach:

D d

I told

I told him my self, their being protected by Sovereign Power; *My lord the Emperour defend me with the Sword, and I will defend the with the Penne.*

He saith, *what the Sorbon Doctors thought of the Court of Rome, concerns not me nor the Question.* They ever valued the Popes Supremacy as a point of Faith, for the not doing of which we are cast out of the Church. He will find, that it doth both concern me and the Question. If the Court of Rome had not obtruded another manner of Supremacy, then the *Sorbon Doctors* allowed, this Schisme had never been. For all the Popes Supremacy, they radicated Ecclesiastical power in the Church; they subjected the Pope to the Church; they made him not Sovereign Prince but a Duke of Venice lesse then the Senate, that is, lesse then a Generall Councell. All that they allowed him was a beginning of Vnity, where have we disallowed that?

He accused, *Our bloody Lawes and bloody Execution.* I referred him to my Reply to the Bishop of *Chalcedon*, where the Question is clearly stated, and fully discussed: and I expected an account from him of that he had to say against it solidly and fully, but I see

*Omnibus hoc vitium est Cantoribus, inter Amicos
Vinnquam inducant animum cantare rogati,
Injussi nunquam desistant.*

He delighteth altogether in Generalls; and
I love to have Controversies circumstan-
tiated, *Qui pauca considerat facile pronuntiat.*
I bring more then pretended Feares and
lealouses on our part, to Iustify our Lawes;
even grosse treason by the Law of Nations
on their parts.

He saith, that in my 48. page, I cleare
their Religion from destroying Subjection to Prin-
ces. All I say is this [their Religion is the
same with ours, that is Christian, and need-
eth not to be cleared from being a Source
of Sedition, or an Incentive to Rebellion].
Here is something to clear Christian Reli-
gion, but not Popery *quatalis*, as it is obtru-
ded. Well, but he saith he will supply that
defect, I subsume, *But the Supremacy of the
Pope is to us a point of Faith, Therefore the hol-
ding of it, is according to him no wayes injurious
to Princes.* Observe Reader it is he sub-
sumes, not I: so it is he that clears them
quatales, as they are Papists, not I. And
how doth he clear them? By a Syllogisme as
memorable as his Contradictions. His

Assumption is: *But the Supremacy of the Pope is to us (Roman Catholicks) a point of Faith. Therefore the holding of it is according to him (the Bishop of Derry) no wayes injurious to Princes.* Stay Sr. here is a Syllogisme with a witnesse, which hath more in the Conclusion then there was in the premisses; namely, *according to him.* Who taught you this Logicke, to assume for yourself, and Conclude for me?

Here he presents the Reader with two new Contradictions of mine, as silly and senselesse as the rest. They are these, that I say *the Instances cited by me, were before the disloyall Opinions of the Romanists; and yet some of my Instances were in Cardinall Richelieus dayes, and since very lately.* Adding, that I contradict myself yet once more, affirming *that I hope those seditious doctines, at this day are almost buried.* What Satisfaction doth this man owe to his Reader, to conceal from him all the Presidents Lawes Sentences, of Emperours Kings Commonwealths Vniversities, and to present him nothing but such Fopperies as these? I will not vouchsafe to spend any time about them, but onely give the Reader an *Ariadnes clew* to guide him out of this Imaginary Maze. I have shewed him, what these seditious

Opinions

Opinions were, where they were hatched, and when; namely, in the beginning of Queen *Elisabeths* Reign. And though some few of my Instances were after that time, yet the maine body of them was much more ancient; as in the Empire,, from *Charles the great* to *Charles the fifth*, and in France from *Carolus Calvus* downward. So I might truely say that the Instances cited by me, were long before those disloyall Opinions were hatched: and yet they are not so lately hatched, but I hope they are almost buried at this day. A man would have thought that I deserved thankses for my Charity, not to be traduced. But it is all one, let the Reader judge who it is that trippeth up his own heeles.

When I said, *It was great Pity that he was not one of Christs Counsailers when he formed his Church*; It did not suppose that Christ had any Counsailers, but to taxe him who takes upon him so Magisterially to dictate, what was necessary then for Christ to doe. This I called *sawcinesse*, and justly. Good Christians (as I told him formerly) ought to argue thus, Christ formed his Church thus, Therefore this is the best Forme; not thus, This is the best Forme, therefore Christ Formed it after this manner.

The

Reply
to the
Bish. of
Chalc.
c. 3.
sect. 4.

Ephes.
4. 4.

The onely reason why I cited that text of *St. Paul, One Body, one Spirit, one Hope, one Lord, one Faith, one Baptisme, one God and Father of all* was this; that *St. Paul* reckoning up seven Bonds of Vnity, should omit this which *Mr. Serjeant* makes to be the onely Bond of Vnity, namely, *unus Papa, One Pope, or one Bishop of Rome*: *Christ* saw it necessary to make a Bond of Vnity between the Churches; And that for this reason he gave the Principality to *St. Peter*, and Consequently to the Bishops of *Rome*. All this he supposeth on his own head, but doth not goe about to prove any thing; if *St. Paul* had been of the same, mind, that was the proper place to have recorded it, and doubtlesse he would not have omitted it. This Argument which onely I used, he doth not touch, but fancieth that I make these seven Bonds of Vnity, or Obligations to Vnity, or meanes of Vnity, to be seven markes of those which be in the Church; which I never dreamed of. And therefore I passe it by as impertinent: Onely adding, that our Ground for Vnity of Faith is our Creed, and for Vnity of Government, the very same forme of Discipline, which was used in the Primitive Church, and is derived from them to us.

When

When I wished that *he had expressed himself more clearly, whether he be for a beginning of Order and Vnity, or for a single head of Power and Iurisdiction*; I spake of *St. Peter*, of who the case is cleare, that he had no more power over his Fellow Apostles then they had over him; and that the Supremacy of Power rested in the Apostolicall College; All that *St. Peter* had was a beginning of Vnity, What *St. Peter* had, the Pope may pretend a claime to, what he had not, the Pope hath no pretence for. Neither *Iohn* Patriarch of *Constantinople*, nor any other ancient Bishop, nor yet *St. Gregory* himself, did ever dream of such a *singular Headship of Power* as he mentions, that is, that *no Bishop in the Church should have Power but he*; Although the Court of *Rome* and their adherents come very near it at this day, deriving all the power of Iurisdiction of all other Bishops from the Pope. That Power which *Iohn* affected, and *St. Gregory* impugned then, and we impugne now, is the Power of Vniuersall Iurisdiction in the Exterior Court; If that were an Heresy in him (as he confesseth,) let them looke to themselves. Neither is the Bishops Primacy of Order, so dry a Primacy as he pretendeth, nor destitute of those Privileges

which belong to a Primate of Order by the Law of Nature , To call Assemblies *summa spirituali*, or to intimate the necessity of calling them, to propose doubts, to receive Votes, and to execute so farre as he is trusted by the Church ; This is the single Power of a Primate of Order, but besides this, he hath also a conjoint power in the Government of the Church. What he saith to the prejudice of Generall Councils, I have answered formerly.

He askes me, *What other Successour St. Peter had, who could pretend to an Headship of Order, except the Bishop of Rome?* I answer, that I did not speake, of what St. Peter had, but what he might have had, or may have whensoever the Representative Church, that is a Generall Council, should give the Primacy of Order to another Bishop. Since he is so great a Friend to the Schoole of Sorbon, he can not well be ignorant what their learned Chancellour hath written expressly upon this Subject, in his Booke de *Inferibilibus Papæ*, not the taking away of the Papacy, but Removall of it. And what Bellarmine confesseth, that neither *Scripture nor Tradition* doth prove, that the Apostolicall See is so fixed to Rome that it cannot be removed, He urgeth, that then the Church should

should remaine without this Principality at the
 death of every Pope, untill all the Churches in
 Japan China and India had given their consent:
 I acknowledge it to be of perpetuall necessity.
 First, he doth me wrong, I did not say posi-
 tively that it is of perpetuall necessity: but
 that I like it well enough, and the reason
 being of perpetuall necessity, seemeth strongly
 to imply the necessity of the thing. Se-
 condly I answer, that there is no need to
 expect such far fetched Suffrages, so long
 as the Primacy may remaine fixed where it
 is, unlesse a Generall Councell or one
 as Generall as may be, think fit to
 remove it: and if a Generall Councell
 remove it, it will take order for the
 future succession. And this same reason
 doth clearly take away his answer to
 my instance, That as the Dying of such
 a Bishop Lord Chancellour of *England*,
 doth not perpetuate the Chancellourship
 to that Bishoprick, because there is a Sove-
 reign Prince to elect another: so the dying
 of *St. Peter* Bishop of *Rome*, doth not perpe-
 tuate the Primacy to that Bishoprick, be-
 cause a Generall Councell when it is in
 being, hath power to transference it to ano-
 ther See, if they find it expedient for the
 publick good.

The

The Bishop knoweth right well, that the Church of Christ is both *his Spouse and his Family*, both the Governesse and the Governed; The Supreme Governesse in respect of its Representative a General Councell, to which all Ecclesiasticall Officers higher or lower, whether Constituted by Christ or substituted by the Church doe owe an account; And the Governesse in respect of that *Universality of Christians* which he mentioneth. And this sounds much more sweetly in Christian eares, then to make either the Pope the Maister, or the Church of Rome the *Mistresse* of the Church.

He brought an Argument for the Succession of the Roman Bishop, drawn from the *Vicissitude of Humane affairs*. I retorted it upon himselfe, that *Rome* itself was as much subject to this Vicissitude, as any other place, [it may be destroyed with an Earthquake.] He saith, *It must be an unheard of Earthquake, which can swallow up the whole Diocese: if the City be destroyed, yet the Clergy of the Roman Diocese can elect to themselves a new Bishop.* But this new elected Bishop, shall be no more the Bishop of *Rome* after it is destroyed, But that which concerneth him and the cause more is, he
proposed

opposeth my Objection by halves; I
 said it might be destroyed by warres also,
 that is both City and Diocesse, and be-
 come a place for Satyrs to Dance in and Owles
 screech in. As great Cityes as Rome
 have run that Fortune; In that case what
 will become of his Election. I added [it
 may become Hereticall or Mahumetan].
 He answereth, True, so may the whole
 Church, if it had pleased God so to Order causes.
 No, by his leave not so, Christ hath
 promised that his Vniverfall Church shall
 never faile; but he hath not promised that
 Rome shall never faile. I said, [the
 Church never disposeth so of her Offices,
 is not to be able to change her Mesnagery,
 according to the Vicissitude of Humane
 affaires]. He opposeth, that I granted in
 the foregoing Page, that Christ himself and
 the Church instituted this Principality or
 Primacy: and bids me shew, that the
 Church hath Authority to change Christs
 Institution. I did not grant it but sup-
 pose it; but whether granted or sup-
 posed, it is not materiall to the pur-
 pose. The Church hath no power to
 change Christs Institution in Essentials;
 but all Ecclesiasticall Officers whatsoe-
 ver are her Officers, and she hath power
 to dis-

to dispose of them, and govern them, and to alter what is not Essentiall.

I know there are other means between *Tyranny and Anarchy*, besides *Aristocracy*, even all lawfull Formes of Government, as *Monarchy and Democracy*: but in the Government of the Catholick Church *Monarchy and Democracy* had no place, unless it were in respect of Particular Dioceses or Provinces; and therefore to have named *Monarchy* here, had been superfluous and impertinent. But the Government of the Primitive Church in the Apostles and their Successours was ever Aristocraticall, first by an equall Participation of power in the Apostles, and then by a Subordination of Bishops in their Successours; and this as well out of Generall Councells as in them, as well before there were Generall Councells as after. It is not my want of Memory, but his want of Iudgement, to pursue such shadowes as these and nickname them Contradictions.

He askes, how should a *Primate of Order*, who hath no power to Act at all in order to the *Unversall Church*, have more power to prevent her good or procure her harme, then one who hath *Soveraignty of power*? This is his perpetuall Practise, to dispute from that which

which is not granted. *St. Peter* was a
 Primate of Order among the Apostles and
 no more; yet he had power to act singly as
 an Apostle and as a Primate among the
 Apostles, he had power also to Act jointly
 with the Apostolical College; so have all
 other Primates of Order. Whatsoever
 Mr. Scrjeant thinks, Our Saviour thought
 his Form of Government as conducive
 to the good of his Church, both to procure
 her Good and to prevent her harm, as an
 Absolute Sovereignty. I doe not feast the
 Reader with Contradictions; Nothing is
 more true then my Assertion, but he abu-
 ses his Reader with notorious Fictions.
 If the Papacy be the Bridle in the mouth
 of the Church, then without peradventure
 the Pope is the Rider; though the Papacy be
 not, I said enough before to let him see the
 fustian of his ludicrous Allegory, and
 taxed him for it: if he delight in it let him
 pursue it; *Nos hac a Scabie tenemus ungues.*
 How the Church doth both govern and is
 governed, I have shewed him formerly.
 In his answer he fell into a large *Encomium*
 of the Papacy, demanding among other
 things: *What Christian Prince can chuse but be*
glad to have an Arbitrator so prudent, so pious,
so disinterested, as a Good Pope should be and
this Authority were duely Governed?
 I told

I told him that to looke upon men as they *should be*, was to write dreaming. He rejoineeth, that *he lookes not upon men at all in this place, but speakes of the Office it self*; And challengeth me, *what say you to the Office it self*? I answer, first he saith not truely, for he did looke at men in this place, otherwise why did he adde this Condition; *as a good Pope should be*? And this other; *If this Authority were duely governed*? Certainly he who lookes upon an Arbitrator so prudent so pious, so Disinteressed as a good Pope should be, looketh something upon men. And so in truth he ought to doe, but his fault is, that he lookes upon them as they *should be*, and not as they commonly are; which is the same fault I taxe him with, to write *Dreaming*, not waking.

Now to his Question, *What say you to the Office it self*? I say first, that though he hath stated it p. 624: Yet he hath not stated it at all, neither (I feare) dare he state it nor is willing to state it. He telleth us indeed sometimes of *the Substance of the Papacy*, but wherein the Substance of the Papacy consists (except some General insignificant Expressions of an *Headship*, or *Chief Governourship*, or *First* *Mov*

the *Movership*, about which we have no
 Controversy with them, and which are
 equally applicable to a Primacy of Order and
 a Sovereignty of Power), he saith nothing.
 Whether the Pope be an absolute Monarch
 or a duke of *Venice*, inferiour to the whole
 Senate; whether he have a Coactive power
 in the Exterieur Court, throughout all
 other Princes dominions, without their
 leaves; Whether he have the right to con-
 ferre Bishopricks, Convocate Synods,
 impose Pensions, Forbid Oaths of Alle-
 giance, and require new Oaths of Allegi-
 ance to himself, Set up *Legantine* Courts,
 Receive Appeales, make Lawes, dispense
 with Lawes at his pleasure, he saith
 nothing: yet these are the onely Contro-
 versies we have with them, to aske what
 we say to the Popes Authority, without
 flating of it, without flinting of it, is an
 unreasonable demand.

I say secondly, that he ought to explain
 himself, by what right he doth challenge
 this Authority Divine or Humane, or onely
 out of Prudentiall reasons. If he challenge
 it by divine right or Humane right, he
 ought to prove the right, according to the
 just extent of that Authority which he doth
 challenge: and not wave the extent, as a
 thing

thing Indifferent. If he challenge it out of Prudentiall Reasons, it ought to be considered, whether the Hopes or the Hazards of the Advantages or Disadvantages, the Conveniēces or Inconveniences of such a Form of Government particularly circumstantiated, doe over ballance the one or the other; And the surest tryall of this is by experience. It will trouble him to find so many Advantages, which the Church and Kingdome of *England* have received from Papall Iurisdiction, (I speak not of the Key of Order,) as may overweigh all those Disadvantages which they have sustained, by the Extortions, and Vsurpations and Malignant Influence of the Papacy. If he attribute no more power to the Pope than all *Roman Catholicks* universally do approve, (which is the onely Rule that he giveth us, to know what is the Substance of Papall Authority), he need not be so importunous, this Question is near an end.

He askes *Whether wee, and the Eastern Southern and Northern Christians, be under the Government of Patriarchs or any other Common Government?* I answer wee and they are under the same Common Government, which the Primitive Church was under from the Dayes

of the Apostles, long before there were any
 Generall Councells ; that was the Go-
 vernment of Bishops under Primates or Pa-
 triarchs. For as I have said formerly, a
 Protarch and a Patriarch in the Language
 of the Primitive Church are both one. We
 have as much Opportunity to Convocate
 Synods as they had then, before there
 were Christian Emperours, and more: yet
 by such Councells as they could Congre-
 gate, though they were not Generall,
 they governed the Church. If there be
 not that free Communication of one
 Church with another that was then, either
 by reason of the great distance, or our
 mutuall misunderstanding one of another,
 for want of the old *Canonicall Epistles* or
Litæ Formæ, the more is the Pity:
 We are sorry for it, and ready to con-
 tribute our uttermost endeavours to the
 Remedy of it.

With these western Churches which
 have shaken of the Roman Yoke, we
 have much more Communion, by Sy-
 nods, by Letters, by Publishing our Con-
 fessions: and we might justly hope for a much
 nearer union yet, both in doctrine and Dis-
 cipline, if God would be graciously pleased
 to restore an happy Peace. That we have it

not already in so large a measure as we might, is their onely Faults, who would not give way to an Vniform Reformation. Sometimes they accuse us for having too much Communion with them, at other times they will not grant us to have any at all.

Concerning the rest of the Western Churches which submit to the Papacy, we have the same Rules both of Doctrine and Discipline which they had, We have the same that they have, saving their Additionall Errours. We have broken no Bonds of Unity, either in Faith or Discipline; we have renounced no just Authority, either Divine or Humane; we adhere to the Apostles Creed, as the ancient and true Rule of Faith, into which alone all Christians (that ever were) have been baptised, and we renounce the upstart additionall Articles of *Pius* the fourth. We are willing for peace sake to give the Pope the same Primacy of Order, which *St. Peter* had above his Fellow Apostles; but the Supremacy of power was not in *St. Peter*, but in the Apostolicall College; neither is now in the Bishop of *Rome*, but in a Councell of Bishops.

He saith we maintein a larger Brotherhoode then they, but never goe about to shew any wise

ble Tye of Government. We shew them the same Badge or Cognisance of our Christianity, that is, the same Creed, and the same Discipline or Government, that is, the same Colours, derived down from the Apostles by an uninterrupted Succession; The same Doctrine and the same Discipline is Tye enough. To take an exact *View* it is necessary the *Organ* should be perfect, the *Medium* fit, and the *Distance* convenient; if any one of these were Defective in *Mr. Rosses View*, he might well mistake: but I may not doe him that wrong to trust your Testimony, without citing his words.

He urgeth, *If Christ have left any Vnity of Government in his Church and Comanded it to be kept, and we have taken a Course to leave no such Vnity, then we have rebelled against Christ and his Church, and falsly pretend to have him our Spirituall head.* I admit this: now let him Assume. *But you (Protestants) have taken a Course to leave no Vnity of Government in the Church, which Christ left and Comanded to be kept.* I deny his Assumption altogether: and he saith not one word to prove it. This is his Enthymematicall manner of Arguing.

He procedeth, That to have a Generall Councell for an Ecclesiasticall Head, is to confesse that there is no Ordinary Vnity of Government in Gods Church, but extraordinary onely when a Councell sits. I deny this Proposition altogether, and the reason is Evident; because besides a Generall Councell which sitteth but rarely, (neither is it needfull that it should sit often, *Nisi dignus Vindice nodus inciderit,*) there are particular Councells, which in lesser Exigents serve the turn as well as Generall. There are Patriarchs and Bishops, which are Ordinary and perpetuall. In an *Aristocracy*, it is not necessary that the Governours should be evermore actually Assembled. In the first three hundred yeares, there were no Generall Councells held, there was lesse hope of ever holding them then, then now: yet there was an Ordinary Vnity of Government in Gods Church in those dayes, for which they were not indebted at all to any visible Monarch. But when a Generall Councell doth sit, the Supreme Ecclesiasticall power rests in it.

He wonders why I should make the King onely a Politicall Head, Contrary to our Common Assertion. It seemeth that though he hath been bred among us, yet he hath
nor

not been much versed in our Authors; No man that ever understood himself, made him otherwise. Yet this Politicall Head, hath a great Influence upon Ecclesiasticall Causes and persons, in the Externall Regiment of the Church. He demandeth, *is there any Orderly Common Tye of Government, obliging this Head to Correspond with the other head? If not, where is the Vnity?* I answer, yes, the direction of his Spirituall Guides, that is, his Bishops and Synods; If this Method be so great a Rarity with him, it is his own fault. He had said more properly, *to Correspond with the other Heads then Head.*

He saith, *It is false to say, that they have sometimes two or three heads, since there can be but one true or rightly chosen Pope.* True, but the Election may be uncertain, that no man living can know the true Pope: so whether there be three Popes, or one Pope and two pretenders, yet if the right Pope cannot be made appeare, it is all one relatively to the Church; *If the Trumpet give an uncertain sound, who shall prepare himself to the Battell.* He telleth us further, that when the See of Rome is vacant, the Headship is in the Chiefe Clergy whom they call Cardinalls, *as secure a Course as mans wit can invent.*

As Chiefe as their Cardinalls are, the much
greatest part of them, were but Ordinary
Parish Priests and Deacons of old. The
Cardinalls indeed have to doe with
the Church of *Rome* in the Vacancy; but
what pretense have they from *St. Peter*?
What have they to doe with the Vniversall
Monarchy of the Church? Before he told
us, that their Headship was *Christs own Ordina-*
tion; now he telleth us that this Headship
is sometimes in the College of Cardinalls,
and that it is *as secure a Course as mans wit*
can invent. What a *Contradiction* would he
make of this?

He demandeth, *doth the Harmony of Con-*
fessions shew, that we have one Common cer-
tain Rule of Faith, or any particular sort of
Government, obliging us to an Vnity, under the
Notion of Governed? I doe shew him one
Common certain Rule of Faith, even the
Apostles Creed; and a particular sort of
Government, even the same was used in the
Primitive Times. What am I the better? he
will take no notice of them, because I will
not fixe upon that Rule of Faith, and that
Form of Government which he Fancieth.
Yet I am for Tradition as well as he, but it
is Vniversall and perpetuall Tradition:
such a Tradition is the Creed, and indeed

is that very Tradition which is so renowned in the Ancients.

He chargeth me with saying, *That Hereticks can have no Baptisme.* Let him either make his accusation good, or suffer as a Falsifier. All that I say is, *Turkes Iewes Hereticks and Christians, have not the same Baptisme.* The reason is plaine, because Turkes and Iewes have no Baptisme at all. Secondly we ought to distinguish between the Baptisme of Hereticks, and Hereticall Baptisme; if the Baptisme it self be good, the Administration of it by Hereticks doth not invalidate it at all: but if the Heretick baptise after an Hereticall Forme, as without due Matter, or not in the Name of the Trinity; such Baptisme is Hereticall and naught. But all this is needlesse to understand the right scope of my words, I said that a Body consisting of Iewes Turkes Hereticks and Christians, had not the same Baptisme: I did not say that every one of these wanted true Baptisme; He might as well charge me with saying that *Christians can have no true Baptisme.*

I have manifested elsewhere, that the Creed is a List of all Fundamentalls: and in the *Sect. 1.* same Section and Chapter the Reader shall *cap. 2.*

find that the Bishop is not a Falsifier, but *Mr. Serjeant*, is both an egregious Calumniator and Falsifier of the Councell of *Ephesus*. I tooke the word *Paganisme*, in the ancient Primitive sense for *Infidelity*, as it is contradistinguished to Christianity. The true reason of that Appellation was, because Country Villages did continue long in their Infidelity, after Cities were converted to Christianity. So the Turkes are the onely Pagans, which we have now in this part of the World. What a piece of *Gotham Wisdome* is this, to quarrell about names, when we agree upon the things. Turkes and Pagans in my sense were the same thing: both Infidells.

But he instructs the *Learned Bishop*, that the Turkes acknowledge a God. So did the Pagans also, if *Lactantius* say true, *Non ego illum Lapidem colo quem video, sed servo ei quem non video*. He addeth, that I affirme the Councell of *Ephesus* held in the yeare 430, Ordered something concerning Turkes, which sprang not up till the yeare 630, and calleth this good sport. If there be any sport, it is to see his Childish Vanity. If I listed to play with words, I could tell him that the Mahumetans sprung up about the yeare 630, the Turkes many Ages after. But the answer is plaine
and

and easy, the Councell of *Ephesus* did give Orders for all Ages ensuing concerning Infidells: but Turkes are Infidells, and so it gave Order concerning Turkes.

Socinians and Arrians, may admit the *Apostles Creed* interpreted their own way: but they ought to admit, it as it is interpreted by the First foure Generall Councils; that they doe not, and so they believe not all Fundamentalls as they should be. What he Objecteth further, that *Puritans hold not the Article of Christs descent into Hell*, and the *Roman Catholicks and Protestants differ about the sense of two other Articles*, hath been answered formerly. The Puritans will tell him, that the manner of Christs descent hath not bene determined hitherto. And I doubt much, he understandeth not the Romish and English Testaments, so well as he should.

SECT.

SECT. IX.

*That the Pope and Court of Rome are
most guilty of the Schisme.*

My first Charge was this, That Member of any Society which leaveth its proper place, to assume an higher place in the Body, is Schismaticall: But the Pope and his Party do not content themselves that the Church of *Rome* should be the Sister of other Patriarchall Churches, and the Mother of many Churches, unlesse she be Lady and Mistrisse of all Churches; or that the Pope should be the Brother of Other Bishops, or a fellow of other Bishops (as he was styled of old), unlesse he may be the Lord and Maister of all Bishops. That the former is his proper place, I clearly proved by Letters, not of himself to other Bishops, that might be Condescension; as for a General to call his Officers Fellow souldiers, but of other Bishops to him; no under Officer durst presume to call his General fellow souldier. That he assumeth the other place to himself, is proved out of the new Creed of *Pius* the fourth, I acknowledge

the Roman Church to be the Mother and
 Mistrisse of all Churches: and I promise and
 owe true Obedience to the Bishop of Rome,
 to the Vicar of Iesus Christ. And in the
 Oath of Allegiance which all Bishops
 owe to the Pope, I A B Bishop &c. will be
 bound full to St. Peter, and to the holy Apo-
 stolicall Church of Rome, and to our Lord
 Alexander &c. There is a great di-
 stance between the old Brother Bishop and
 the new Bishop, and this Oath of Alle-
 giance to the Pope as to their Liege Lord.
 First he Chargeth me, that I doe flatly fal-
 sify his words, which doe never deny her to be
 Mother, but a Sister onely. Either I falsified
 his words, or he falsified mine. My
 words were these, First they make the
 Church of Rome, to be not onely the Sister of all
 other Patriarchall Churches and the Mother of
 many Churches, but to be the Lady and Mi-
 strisse of all Churches. The two Former Bran-
 ches of Sister and Mother are both acknow-
 ledged, the last onely of Lady and Mi-
 strisse is denied. He falsifieth my words
 in this answer thus, because she takes upon her
 the Mistrisse, where she is but Sister to other
 Churches. You see the word Mother is left
 out, and because I bring it in againe as I
 thought, to make the Argument as it was be-
 fore

fore his Curtaling of it, I am become the Falsifier with him, and he who is the Falsifier in earnest is innocent.

I cited the words of *St. Bernard*, to prove that the Pope was not Lord or Maister of other Bishops, and the Roman Church Mother of other Churches, not a Lady *Mistresse*. He distinguisheth between *Dominam* and *Magistram*, an Imperious proud Lady *Mistrisse*, and a School *Mistresse* or *Teacheresse*; Adding, that they use the word *Magistram* in the latter sense. So they say no more then we do acknowledge the Church of Rome to be a *Teacheresse*, and the Pope a *Teacher*, as it is an Apostolicall Church and he an Apostolicall Bishop: but all the Question is of the other word *Dominum*, which the Pope taketh to him self as well as *Magistram*; as we have seen in the Oath of Allegiance which he makes all Bishops to sweare. Neither doth *St. Bernard* oppose proud Imperious Dominion to Gentle Dominion, but he contradistinguisheth Dominion to no Dominion and thy self not a Lord of other Bishops but one of them. Not a Lord of other Bishops, saith *St. Bernard*: A Lord of

other Bishops, faith the Oath of Fi-
delity; *I will be faithfull to our Lord*
pe Alexander.

He urgeth, that *the Bishop hath*
brought a Testimony, which asserts the
Church of Rome to be the Mother
of other Churches, and so of the Church
of England too. St. Bernard asser-
ed the Church of *Rome* to be the
Mother of other Churches, so did the Bi-
shop; but not to be the Mother of all
other Churches, no more did the Bishop;
particularly not of the Church of *Britain*,
which was ancients then the Church of
Rome, and so could not be her daughter.
Let them prove their right that they are
her Mother, and we are ready to doe our
Duty; saving alwayes that Higher
Duty which we owe to our Mother *Para-*
mount, the Univerfall Church. But nei-
ther can they prove their right that they are
her Mother, neither is that Subjection
which they Demand, the Subjection due
to a particular Mother, but to an Univer-
fall Lord.

But *Schisme involves in its Notion disobedience,*
c. And so the Bishop concludes the *Mother*
Schisme

Schismaticall because she is disobedient to her Daughter. His first errour is, to make the Church of Rome to be our Mother. The second, to thinke that a Mother may challenge what Obedience she listeth of her Daughter. The third, that Schisme consisteth altogether in the Disobedience of Subjects. Causall Schisme may and doth Ordinarily consist, in the unlawfull Injuries of Superiours.

My second reason to convince them guilty of Schisme, was the new Creed set out by *Pius* the fourth; This he called *Calumny*. He cannot speake lower than *Calumnies, Absurdities, Contradictions, Falsifications &c.* A high *Calumny* to stand them with a matter of truth; It is such a *Calumny* as they will never be able to shake off. He referreth the Reader to what hath said in the first Section, and I to my Answer there. He saith it is known that each point in that profession of Faith (that is twelve new Articles) was held of Faith by the former Church. How? held of Faith? as the Essentiall of Faith? And this known? by whom? to the man in the Moone? Here is the maddest Contradiction that ever was, and might well have become the Merry Stationer. It is a Contradiction to

ent to *that he (Pius the 4.) made a new Creed*
 maket *it be shewn that any of these points was not*
 er. *Formerly of Faith, and be proved satisfactorily*
 nay cha *that the Apostles Creed contained all necessary*
 h of b *points of Faith. A Contradiction? I see*
 sme co *many men talke of Robin Hood, who never*
 ience *not in his Bowe: talke of Contradictions,*
 and do *who know not what they are. Observe*
 li Inju *the equity of these men, They Visibly in-*
 t 12 new Articles into the Creed, and
 them *then would put us to prove, that they were*
 Creed *of Faith before, and that all necessary points*
 'callet *of Faith are contained in the Apostles Creed.*
 wer th *he is resolved to keep two strings to his*
 ions, F *bowe, and knoweth not which of them to*
 o flanc *rust to. Heare you Sr. If they be Articles*
 t is suc *of Faith now, as you have made them, then*
 e to sha *they were alwayes Articles of Faith: and*
 what *all those were damned which did not believe*
 I to *them; but that you dare not say.*

own th *My third Charge of Schisme was, because*
 that is *they mainteine the Pope in his Rebellion*
 aish by *against Generall Councells. Here he distin-*
 ish? as *guisheth between a Schooleman and a Con-*
 own? *trovertist, to no manner of purpose, for it*
 ne? *is altogether impertinent. There is no man*
 that *who inveigheth so much against wording ad*
 come *Quibling as himself, and yet the world hath*
 on 10 p *not a greater Worder or Quibler then he is.*

Where

Wherefore to prevent the Readers trouble and mine own, and his shifting and flitting, and to tie him within his Compasse perforce; I made bold to reduce my Argument to a Syllogisticall Forme. That who subject a Generall Councell, which is the Highest Tribunall of Christians, to the Pope, are guilty of Schisme: But the Pope and Court of *Rome*, with all their maintainers, (that is, much the Greater part of their writers,) doe subject a Generall Councell to the Pope. Therefore the Pope and Court of *Rome* with all the Maintainers, that is the much greater part of their Writers, are Guilty of Schisme.

Here he should have answered Punctually to the Proposition or Assumption, either by denying granting or distinguishing: but for all his calling for a *Rigorous Demonstrative way*, he liketh it not, because he cannot make such impertinent extravagant excursions as he useth to doe, which are the only help he hath at a dead lift. All the Answer he giveth is this, *He (the Bishop) is accused of a Contradiction and Nonsense, and to cleare himself he telleth he will now lay aside the one part of the Contradiction and endeavour to make*

good sense of the other. To what Proposition, to what Terme doth he apply this answer? I see no Contradiction, I see no Nonsense in my discourse, nor any body living but himself. I said no such thing as he pretendeth. What doth the man meane by these waves of brainlesse butterd fish, by these heterogeneous incoherent Fopperies, and Chimaraes which have no existence but in his own pate? If he meane to answer, let him doe it clearly like a Schollar; since I have found this way to tye him to his matter, and restraine his torrent of words, I shall put it in practice oftner. Yet if I meet with any such thing as is substantiall among his vapouring expressions, which hath but the least resemblance of an answer, though it be not reduced into Forme, I will gleane it out, and examine the weight of it.

Such is this which followeth, *Was it for this Opinion of the Pope above the Councell &c. How were they guilty of Schisme for this? unlesse they had denyed you Communion for holding the Contrary, or prest upon you an unconscienious approbation of it, which you know they did not. Foole no: your Readers my Lord; It was not for this Tencel which you impue to the Court of Rome, but for that of the Popes Headship or*

Ff

Spiri-

Spiritual Jurisdiction over all Gods Church held by all Catholicks, &c. For which you are excommunicated. It is true they did not deny us Communion for holding this Opinion, nor presse upon us an unconscientious Approbation of this Opinion directly, for any thing that I know: but neverthelesse, they have by their power subjected a Generall Councell to the Pope, they have procured it to be defined (though not expressly) in the Councell of *Florence*, and to be expressly defined in the Councell of *Lateran* under *Leo* the tenth. Hence it is, that all the Councells since the Councells of *Constance* and *Basile* and the two *Pisan* Councells, have wanted Conciliary Freedome, and been altogether at the Disposition of the Popes; to prorogue them, to transference them, to stint them what matters they might handle and what not, to deferre their Determinations untill he had formed or created a party, or wrought some of the dissenting Bishops to his will, to ratify or reject their decrees at his pleasure. When or where was it ever heard before, that there was twice as many Bishops of one Nation in a Generall Councell, as of all other Nations in the world? Hence was that complaint of the Fathers in the Councell of *Trent*, that the Synode was guided by the Holy Ghost
sent

sent from *Rome* in a Male. If it had not been for this thing, but the Fathers had been permitted freely to have proceeded in the Councell of *Trent*, in the Resolution of that noble Question concerning the Residence and divine Right of Bishops: in all probability this great rent had been made up, and he and I had not needed to have disputed this Question at this Day.

Thus by this Opinion and by their Sinister Practises to establish it, they are causally and formally Schismaticall: and have been both the procreating and conserving Cause of this great Schisme; the procreating cause, by altering the Hierarchy, and Disordering the Members, which doth necessarily produce a disturbance and Schisme in the Body; and the conserving cause, by destroying the Freedome of Councells, which are the proper Remedies of Schisme. Whether these later Councells were Oecumenicall, or Occidentall, or neither, is not the point in debate; They are those which they call Generall; They were as Generall as they would permit them to be; and to conclude, it was their fault that they were not more Generall. So though this were not the very cause alleged by them, why they did excommunicate us: yet it was one of the Causes of the Schisme, and consequently of

our Excommunication.

I leave every man free to Iudge for himself; but for mine own part I am so great a Lover of the peace of Christendome, that I should not oppose the Bishop of *Rome*s headship of Order, if he would be content with it; and that is as much as many whom he stileth his own Sons do yield him. But though that be sufficient for the Catholick Church, it is not sufficient for the Court of *Rome* to fill their Coffers; they love not such a *Dry Papacy*. I dispute onely whether the Popes right be Divine, or humane, or mixed (as *Gerson* thought); either score may justly challenge Duty: But I am very positive, that whatsoever the Bishop of *Rome* hath more then this Primacy of Order or beginning of Vnity, he had it by humane right, and by humane right he may lose it. Neither doe I goe about to deprive the Bishop of *Rome*, or any Bishop whatsoever of any Iurisdiction purely spirituall, which was left them as a Legacy by Christ or by his Apostles; but I deny that Apparitors, or Pursivants, or Prisons are of Christs Institution; I deny that Christ or his Apostles did ever either exercise themselves, or grant to others Authority to exercise Coactive Iurisdiction in the exterior Court, over the Subjects of other Princes, within their Dominions, and
without

without their leaves. If Subjects submit, *Volenti non fit injuria*, but then it is not Coactive; If Princes give leave, (as they have done in all Ages, so far as they judged it expedient for the publick good), then it is very lawfull; but without the Subjects submission or the Princes leave, there may be indeed a spirituall kind of Coactiō in the interior Court of Conscience, but no true coactiō in the exterior Court of the Church.

I see he understandeth not the sense of that Logically restriction, *The Papacy as it is such*; which signifieth not the Papacy as it ought to be, or so far as all Roman Catholics doe agree about it; but the Papacy as it is Qualified in present, or as it is owned, or obruded, or endeavoured to be obruded by the Pope and Court of *Rome*. So the *Papacy as it is such*, is opposed or contradistinguished to the Ancient Papacy in the purer and more Primitive times, which was not guilty of those Vsurpations which the modern Popes have introduced. Thus still my Contradiction doth end in his misunderstanding.

My fourth and last charge of Schisme upō the Pope and Court of *Rome* was thus. They who take away the Line of Apostolicall Successiō, throughout the world except in the See of *Rome*, who make all Episcopall Jurisdicti-

on to flow from the Pope of *Rome*, and to be founded in his Lawes, to be imparted to other Bishops as the Popes Vicars and Coadjutors, assumed by them into part of their Charge, are Schismaticks: But the Pope and Court of *Rome* and their maintainers do thus: Therefore the Pope and Court of *Rome* and their maintainers, are Schismaticks.

To this Argument, he vouchsafeth no answer at all in due Forme as it ought to be, and I have no reason to insist long upon his Voluntary *Jargon*. All the Answer which he intimateth is this, that *this Tenet is not Generall among them, but points of Faith are held generally*. Here is an answerlesse Answer, without confessing or denying either Proposition: such an Answer doth not become one, who maketh himself so great a Master in the Art of disputing; I charge not their whole Church, but the Pope and Court of *Rome*, and all their Abettors and Maintainers, with the Crime of Schisme. I conclude no more then I assume. He answers that *the whole Church do not hold these Tenets*. What is that to the purpose? As if a Particular person, as the Pope, or a Particular Society, as the Court of *Rome*, or the greater part of a Church, as all their Abettors and maintainers, could not be Schif-

Schismaticks except the whole Church be Schismaticall, which is most absurd. I am free to charge whom I will, if he will not answer for them, he may be silent; but if he undertake to be their Advocate, let him defend them in due Forme as he ought, and not tell us, that *he is not concerned as a Controvertist to defend anything but Points of Faith*. Which is neither better nor worse in plain English, then to run away from the Question. All our Controversy is, whether such and such pretended Privileges be Papall Rights or Papall Vsurpations: If he dare not maintein them to be just rights, either by divine Law or humane Law, and refuse to contend with us when we prove them to be Vsurpations; to what end doth he interest himself, and break other mens heads with the clattering noise of his *Sabots*.

SECT. X.

An Answer to their Objections.

THEIR first Objection was, that we had seperated ourselves from the Communion of the Catholick Church. I answered that we hold Communion with thrice so many Catholick Christians as they doe, that is, the Eastern Southern and Northern Christians, besides Protestants. He interpreteth these Christians with whom we

hold Communion to be *numberlesse Multitudes of Manichees, Gnosticks, Carpocratians, Arrians, Nestorians, Eutichians &c.* Adding, that he protesteth most faithfully, he doth not think that I have any solid reason to refuse Communion to the worst of them. Reader, learn how to value his faithfull Protestations hereafter. I shew that we all detest those damned Heresies, and complaine of his Partiality and want of Ingenuity, to abuse the Reader with such lying suggestions, which he himself knoweth to be most false, and challenge him to shew that any of us are guilty of any of these Heresies; now see what he produceth to free himself from such an horrid Calumny.

First he saith, that the Bishops tax is evidently this, to shew some solid reasons why he admits some of these and rejects others. This is not the purging of his old Calumny, but the twisting of a new Calumny to it. I abhorrinate and Anathematise them all, and he will have a reason of me why I admit some of them and reject others. Well done brave disputant!

Secondly he urgeth, Suppose he could not charge the Church of England, or any of these other Churches with any of these Heresies, are there no other Heresies in the world but these

old ones? Or is it impossible that a new Heresy should arise? There are other Heresies in the world, and it is possible that a new Heresy may arise: but what doth that concern the Church of England? unless he thinke that there is no Heresy in the world, nor is possible to be, but the Church of England must be guilty if it. Worser and Worser.

He proceedeth, that he accused not the Church of England or the Bishop for holding those materiall points, but that having no determinate certein Rule of Faith, they had no grounds: to reject any from their Communion, who hold some common points of Christianity with them. It is well, *habemus consuetudinem reum*, Mr. Serjeant retracts his Charge; The Church of England and the Bishop are once declared innocent of those old Heresies, which he made a Muster of to no purpose. To let him see that I say nothing new, and how he thrasheth his own Friends blind fold: *Peter Lombard*, *Thomas a Iesu*, *Cardinall Tolet*, and many others, do make the Question about the procession of the Holy Ghost, to be Verball onely without Reality; and that the Grecian expressions of *Spiritus Filii*, The Spirit of the Sonne, and *per Filium*, by the Sonne, doe

doe signify as much as our *Filioque*, and from the Son. And of the *Nestorians*, *Onuphrius*

Onuphrius giveth this Iudgement, These *Nestorians* doe seem to me, to have retained the name of *Nestorius* the Heretick rather then his errors; for I find nothing in them that savoureth of that Sect. And for the supposed *Eutychians*, *Thomas a Iesu* giveth us ample Testimony,

Thom. That the suspicion did grow upon a double mistake. They were suspected of *Eutychianisme* because they retained not the Councell of *Chalcedon*; and they received not the Councell of *Chalcedon*, because they suspected it of *Nestorianisme*; but yet they accurse *Eutyches* for an Heretick, and so did the Councell of *Chalcedon* Anathematise *Nestorius*. The same is asserted by *Brerewood*, out of the Confessions of the *Iacobites*, *Nestorians*, *Armenians*, *Cophites* and *Abyssines*. To his Objection I answer, First, that though we had no such certain Rule of Faith; yet it was not presently necessary, that we must tumble headlong into such abominable errors, as many of these Hereticks held, which the Discreeter Heathen did detest. Secondly, we have a certain Rule of Faith, the Apostles Creed dilated in the Scriptures, or the Scriptures contracted into the Apostles Creed: and for that

Brerewood
Enqu.
ca. 25
p. 183.

that ugly Fardle of Heresies, which he mentioneth, we can shew that they are all diametrally opposite to the Apostles Creed, as it is explained in the foure first Generall Councils. Reader have a care to preserve Epictetus his Iewell, Remember to distrust such faithfull or rather feigned Protestations.

He argueth, *All those Hereticks had the same Rule or Grounds of their Faith that Protestants have, namely the Holy Scripture; therefore they are all of the Protestant Communion.* In good time. All those Hereticks had the same Rule or grounds of their Faith, that Roman Catholicks have, namely the Holy Scriptures, therefore they are of the Roman Catholick Communion. If he except, that the bare Letter of the Scriptures, is not the Ground or Rule of Faith to Roman Catholicks, but the Scripture interpreted according to the Analogy of Faith and Tradition of the Church: the Church of *England* saith the very same for it self. So if this be the source of all errour to abandon the Tradition of the Church, we are far enough from the source of all errour. This is the onely difference in this particular betweene me and *Mr. Serjeant*, what he attributeth to the Tradition of immediate Forefathers, I ascribe to the perpetuall and Vniuersall Tradition of the Catholick Church

Church. Who would believe, that this man himself had deserted the Tradition of his Immediate Forefathers ?

That which he addeth, the Tradition of Immediate Forefathers *is the onely Ground of Faiths certainty*, and the Denying of it *more Pestilentiall then the Denying of the Godhead of Christ, or the asserting the worst of those errors which any of those old Hereticks held*, as there are two Gods, a Good God and an Evill God; is most false and Dangerous, to tumble into a certain Crime for feare of an uncertein. What he addeth concerning *Sects new sprung up in England, and Luther, and Carlostadius*, concerneth not us nor the present Controversy.

I said, that some few Eastern Christians were called *Nestorians*, and some others by reason of some unusuall expressiōs suspected of Eutichianisme, but most wrongfully: and in our Name, and in the name of all those Churches which hold Communion with us, I accursed all the Errours of those Hereticks. Notwithstanding all this, he saith that *nothing is more right then to call them so*, that what I say here is contrary to the publick and best intelligence we have from those remote Countreies, that I have a mind to cling in very Brotherly and very lovingly, with the Nestorians

orians and Eutychians, though I say I will
 that I stroke those errors which I accurse,
 with a gentle hand, styling them but ununsuall ex-
 pressions. First for so much as concerneth my
 self, I have renounced those errors, I have
 accursed them: if yet he will not credit me,
 there is nothing left for me to doe, but to ap-
 peale to God the searcher of all hearts, that
 what I say is true, and his accusations are
 groundlesse Calumnies. But as to the
 merit of the cause he addeth, that these un-
 usuall expressions were onely these, that Christ had
 no distinct persons, and no distinct natures. I hus
 say, but what Authours, what Authority
 doth he produce, that any of these Churches
 are guilty of any such expressions? None at
 all, because for all his good intelligence, he hath
 none to produce, nor ever will be able to
 produce any; and so his good intelligence must
 be in smoke and stinke, as his most faithfull
 protestation did before. I will conclude this
 point to his shame, with the Doctrin of
 the English Church Art. 2. That the two
 Natures Divine and Humane are perfectly
 and inseperably conjoined in the Unity of
 the person of Christ. Doth this agree
 with his counterfeit expressions, Christ
 hath two distinct persons no distinct na-
 tures?

when

When I used this expression [the best is we are either wheat or chaffe of the Lords Floore, but their tongues must not winnow us], these words [the best is], had no such immediate Relation unto the words immediatly following [we are either wheat or Chaffe], but to the last words [their tongues must not winnow us], making this the complete sense, *we are either wheat or chaffe*, but *the best is* whether we be wheat or chaffe, *their tongues must not winnow us*. What poore boyish *pickquering* is this?

In my Reply to the Bishop of Chalcedon occasionally I shewed the Agreement of the Greek Churches with the Church of England, in the greatest Questions agitated between us and the Church of Rome, out of Cyrill late Patriarch of Constantinople which he taketh no notice of, but in requitall argeth a passage out of Mr. Rosse, in his booke called *a View of all Religions*. It is an unequall match, between Mr. Rosse a private Stranger, and the Patriarch of Constantinople, in a cause concerning his own Church. I meddle not with Mr. Rosse but leave him to abound in his own sense, I know not whether he be truly cited or not, but with Mr. Serjeant. I shall be bold to tell him that if he speaketh seriously and

ma fide, he is mistaken wholly, Neither
 doe the Greekes place much of their De-
 votion in the worship of the Virgin
 Mary and painted Images. Heare *Cyrill.*
Cyrill the Patriarch, we give leave to *ad Int;*
 him that will, to have the Images of 4.
 Christ and of the Saints, but we disal-
 low the Adoration and worship of
 them, as prohibited by the Holy Ghost
 in Holy Scripture. And another,
 They give great honour to the Virgin
 Mary the Mother of Christ; but they
 neither adore her, nor implore her aide.
 And for the Intercession, prayers,
 help and Merits of the Saints, (taking
 the word [Merit] in the sense of the Primi-
 tive Church, that is not for *Desert* but for
Acquisiſion), I know no Difference about
 them among those men who understand
 themselves: but onely about the last words,
 which they invoke in their Temples rather
 then Churches. A Comprecation both the
Greciās and we do allow, an ultimate invo-
 catiō both the *Grecians* and we detest: so do
 the Church of *Rome* in their Doctrine, but
 they vary from it in their practise. It follo-
 weth, *They place Iustificatiō not in Faith*
 but

but in workes, Most Falsly. Hearc
Prim. Hieremy the Patriarch; We must doe
Resp. good workes but not confide in them
cap. 6. And Cyrill his Successour, VVe be
C. 13. lieve that man is justified by Faith not
VVorkes.

Before we can determine for whom those Eastern Southern and Northern Christians are, in the Question concerning *the Sacrifice of the Masse*; it is necessary to know what the right state of this Controversy is. I have challenged them to goe one step further into it then I do, and they dare not, or rather they cannot without Blasphemy.

The next instance concerning Purgatory is so grosse and notorions a mistake, that it were a great shame to confute it; *They believe that the soules of the Dead are bettered by the prayers of the living.* Which way are they bettered? That the soules of damned are released or eased thereby, the Modern *Greeks* deny, and so do we; That there are any soules in Purgatory to be helped, they deny, and so do we; That they may be helped to the Consummation of their Blessednesse, and to a speedier Vnion with their Bodies by the resurrection thereof, they

do not deny, no more do we: We pray daily, *Thy Kingdome come*: and *Come Lord Iesus come quickly*: and that we with this our Brother and all other departed in the Faith, may have our perfect Consummation and blesse both in body and Soule. They hate Ecclesiasticall Tiranny and lying supposititious Traditions, so do we; but if they be for the *Authority of the Church*, and for genuine *Apostolicall Traditions*, Gods blessing on their hearts, so are we. Lastly the Grecians know no feast of *Corpus Christi*, nor carry the Sacrament up and down, nor elevate it to be adored. They adore Christ in the use of the Sacrament, so do we: They do not adore the Sacrament, no more do we.

Yet from hence he inferreth, that there is not a point of Faith wherein they dissent from the Church of Rome, except that one of the *Popes Supremacy*. It is well they will acknowledge that. Yet, the Grecians agree with us and differ from them, in his two Rules or Bonds of Vnity. In the Rule of discipline; the Grecians and we have the same Government of Bishops under Patriarchs and Primates, Secondly in the Rule of Faith; the Grecians and we have both the same Canonickall bookes of Scripture,

both reject their Apocryphall Additions from the Genuine Canon. They and we have both the same Apostolicall Creed, both reject the new Additions of *Pius* the fourth. In summe, they and wee doe both deny their Transubstantiation, their Purgatory, their Iustification by workes *in sensu forensi*, their doctrine of Merits and Supererogation, their Septenary number of the Sacraments, their Image worship, their Pardons, their private Masses, their half-Communion. And to be brieve, the *Grecians* doe renounce and reject all those Branches of Papall power, which we have cast out of the Church of *England*. As the Popes Sovereignty over the Catholick Church by divine Right, as *Nilus* saith; *It is intollerable that the Roman Bishop will not be subject to the Canons of the Fathers, since he had his Dignity from the Fathers.* Secondly his Legislative power, as *Peter Stewart* Vice-chancellor of *Ingolstadt* witnesseth, that the *Grecians* object it as an errour to the *Latines*, that they make the Popes Commandements to be their Canons and Lawes. Thirdly his Iudiciary power, equalling the Patriarch of *Constantinople* to the Patriarch of *Rome*, or rather preferring him. Lastly his dispensative power, accusing his Pardons and Dispensations

as things that open a gate to all Kind of Villany. I am glad that *Nilus* is in his good grace, to be stiled by him *one of the gravest Bishops and Authors of that party*, for one moderate expression wherein he saith no more then we say. His Friend *Possivine* calls him a *Virulent Adversary*: and if ever *Mr. Serjeant* read him throughly, it is ten to one he will change his note. Thus much for my Communion with the Eastern Churches, it is the same with the Southern and Northern Churches; all which doe plead better Tradition then himself.

Whereas he saith that my Assertion, that *the Creed conieined all points necessary to be believed, is grounded onely upon my falsifying of the Councell of Ephesus*; he bewrayeth his ignorance both in the Fathers and in his own Authours. The Scripture is none of those particular Articles which are necessary to Salvation to be believed; but it is the Evidence whereby those Articles are revealed, and wherein they are comprehended; The Creed was composed before the Canon of Scripture was perfected. They have not onely changed from their Ancestours in Opinions: but they have changed their own Opinions, into necessary Articles of Faith, which is worse.

I denied that the Councell of *Trent* was a Generall Councell, as wanting the requisite Conditions of a Generall Councell, which they themselves judge to be necessary. The summons ought to have been generall, but it was not. The great Patriarchs ought to have been present, but they were not; neither the Patriarchs of *Constantinople*, *Alexandria*, *Antioch* and *Hierusalem*, nor any of them; nor yet the Patriarchs of *Armenia*, *Abissina*, *Mosco*, *Musfall* &c., nor any of them. He answereth, *they had no right to be summoned thither, unlesse to be called to the Barre as Delinquents, nor to sit there, nor are to be accounted Christians.* It had need to be a large Barre indeed to hold them all. Was it ever heard before, that a fifth part of a Councell did call foure parts to the Barre? Their Ancestours had right to be summoned to a Generall Councell, and to sit and vote there as well as the best; how have their posterity lost this right? Had they been heard and condemned in a Generall Councell? No. But he urgeth *what need hearing, when themselves in the Face of the whole world publickly confessed and maintaine their impured fault.* How? what needed hearing? O Iust Iudge! He that giveth a right Sentence, yet if he give it without

without hearing, is an unrighteous Iudge. *They confessed their imputed Fault* : but did they confesse it to be a Fault? No I warrant you, he can not say it for shame. Or how should *they confesse it in the Face of the whole Christian world?* They are the Christian world themselves, and your Roman world is but a *Microcosme* in comparison of them.

The case is so evident and notorious, that no man can doubt of it. The Continent hath not left *St. Peters Boat*, but *St. Peters Boat* hath left the Continent. The Innovation or swerving from Apostolicall Tradition, was not in the Christian world, but in the Court of *Rome*, who would have advanced their Aristocraticall power to a Sovereign Monarchicall power: but the Christian world would not give way to it; if this were an error in them, all their Ancestours were guilty of it as well as they. But the Court of *Rome* being conscious to themselves that they were the Innovators, to free themselves from feare of being censured by the Christian World, adventured to give the first blow, by censuring the whole Christian world it self. This was a Bolder Act then that of Pope *Vistor* which *Irenaus* misliked so much.

He will never leave his *Socraticall* manner of disputing by Questions; *what certain Rule have we to know, what Sects are of the Church?* Although I needed not, yet I have answered this demand formerly. All those are of the Church who weare the Badge and Cognisance of Christians, that is, the Apottles Creed as it is explicated by the foure first Generall Councells, as all those Churches doe; and have not been cast out of the Church by the Sentence of a Generall Councell, as none of these Churches have; no nor yet by the Sentence of the Roman Church it self, if we may trust the Bishop of *Chalcedons Survey* cap. 8. *Neither doth the Roman Church excommunicate all the Christians of Affrick Asia Greece and Russia, but onely such as doe vincibly or sinfully erre.* He addeth, that *there are innumerable* who are not formall Hereticks, but onely *Hereticis Credentes*. These continue good Christians still, and are Churches still, and ought not to be excluded frō Generall Councells, though supposed to be materially in an error; much lesse being innocent and in no Heresy or Schisme either formall or Materiall.

I pleaded that *though it were true, that all the other Pairiarchs were such Materiall Hereticks*, yet of all others they ought especially to have been summoned. The reason is evident, because they that are sick have more need of the Physitian, then they that are in health. Hence he inferreth, that it is more necessary that Hereticks be called to a Generall Councell, then Orthodox Fathers. Not so, both are necessary, the one to Cure, the other to be cured: but the especiall Consideration or end of a Councell, is for those that erre, that they may be reduced.

I said [the Pope hath not that Authority over a Generall Councell, that the King hath over a Parliament]. He answereth, that *he is so plaine a man, that he understandeth not what the Authority of King or Parliament signifies*. I will help him. The King may dissolve a Parliament when he pleaseth: so may not the Pope a Generall Councell against their wills. If the King dye by whose writ it was called, the Parliament is dissolved: so is not a Generall Councell by death of the Pope. The King hath a Negative voice in Parliament: so hath not the Pope in a Generall Councell.

I urged, that the Proto-patriarchs are not known or condemned Rebels. He answereth first, *this is onely said againe not proved.* He is alwaies stumbling upon the same Block : It doth not belong to me to prove they were not condemned ; but to himself who accuseth them, to shew when and where they were condemned. Secondly he answereth, that *their Errours have been condemned by Councells, and for the most part some of their own party being present.* But the condemning of their errours, is no sufficient warrant for the excluding of their persons out of Generall Councells. Neither were these Councells Generall Councells, or such as had any Iurisdiction over the Protopatriarchs. Moreover, they condemne Papall Errours as well as he condemneth their Errours, whether is more Credit to be given to the Pope, in his own cause charging all the Patriarchs in the world, or to all the other Patriarchs in the world, unanimously condemning his Vsurpations in the name of the Catholick Church?

He demands, *whether there might not be a Parliament of England, without having the fifth part of the Members found in that Councell, and yet be a lawfull Parliament?* I think there might, if the absence of
all

all the rest proceeded from their own neglect : but not if it proceeded from want of Summons , as the absence of the Protopatriarchs did.

He bids me *rub up my memory*, he believes I will find an *English Law*, that sixty Members is a sufficient number to make a lawfull Parliament. I have done his Commands, and I know no such law , nor he neither : and then he must be a very confident man to cite such a Law. Perhaps he hath heard of some Ordinance of the House of Commons, how many members at the least must be present at doing of some inferiour Acts: but neither is this Ordinance an English Law , nor that House an English Parliament.

He saith, *I excepted against the superproportioned multitude of Members out of one Province , which never lawfull Parliament had. Superproportioned* indeed, where there were double the Number of *Italian* Bishops to all the other Bishops of the Christian world, (this is no equall representative) : and these assembled thither not to dispute , as he fancieth vainly , but meerly to overvote the *Tramontanes*. A few Bishops had sufficed to relate the Beliefe or Tradition of *Italy*, as well as the rest of the world : but that had

not

not sufficed to doe the Popes worke, that was, to overſwey the reſt of the Chriſtian world, with his *Superproportioned multitude* of Italian Biſhops. He ſaith, *perhaps I will pretend, but had the Catholick Biſhops out of their Provinces been there, they would have voted againſt their Fellow Catholicks, in behalf of Luther and Calvin, which were a wiſe answer.* I heed not much what he calleth wiſe or fooliſh: I doe not onely pretend, but I ſee clearly, that If the Biſhops of other Countries had been proportioned to thoſe of *Italy*, they had carried the Debate about Reſidence and the Divine right of Epiſcopacy; and that had done the buſineſſe of the Weſtern Church, and undone the Court of *Rome*.

But he quite omitteth the moſt materiall part of my Diſcourſe, concerning his reſemblance between a Parliament and a Generall Councell; That [the abſence of whole Provinces and the much greater part of the Provinces, either of *England* or of Chriſtendome, for want of due Summons, doth diſable ſuch a Parliament or ſuch a Councell, from being a Generall Representative of the whole.] He might even as well ſay, that an Aſſembly of the Peers and Burgeſſes of *Wales* upon Summons, without any appearance or ſummons of all the reſt of the King-

Kingdome of *England*, was a lawfull Parliament of all *England*: as say the Councell of *Trent* was a Generall Representative of the Christian world, which was never summoned.

I proved, that the Councell of *Trent* was no Generall Councell, because it was not Generally received, no not among the Occidentall Churches: particularly, by the Church of *France* in point of Discipline. He answereth that notwithstanding, *They acknowledge it to be a lawfull Generall Councell, and receive it in all Determinations belonging to Faith.* Adding, that the Disciplinary Lawes of a Generall Councell, doe bind particular Countries onely in due Circumstances, and according to their Conventences. But the Contrary is most apparent, that Councells truly Generall, being the Supreme Tribunalls of the Catholick Church, doe bind particular Churches as well in point of Discipline as of Faith. The Generall Councells of *Constantinople* before *Alexā dria* and *Anioch*, And equall it to *Rome*, notwithstanding the Popes Opposition. What Opiniō the King and Church of *France* had of the Councell of *Trent* in those Dayes, appeareth by the solemne Protestation of the French Ambassadour, made

made in the Councell in the name of his Master and the French Church, that seeing
 Gold. *all things were done at Rome rather then at*
 10.3. *Trent, and the decrees there published, were*
 pa. 571 *rather the decres of Pius the fourth then of the*
Councell of Trent, We denounce (said he) and
protest before you all, that whatsoever things are
decreed and published in this Assembly by the
mere will and pleasure of Pope Pius, neither the
most Christian King will ever approve, nor the
French Church ever acknowledge to be the de-
crees of a Generall Councell.

That the Councell of *Trent* was not a free Councell I proved, first by the Testimony of *Sleidan*; secondly by the bitter complaint of the Fathers in the Councell of *Trent*, that *it was guided by the Spirit sent from Rome in a Male*; thirdly by the Popes creating not onely new Bishops, but new Bishopricks in the time of the Councell, to make his party able to overvote their Opposers. To the first he saith, that *Sleidan was a notorious lying Authour of our own side*. Who fitter to relate the Grievances of the Protestants then a Protestant? which he did not say in a Corner but published to the world in print, when they might have refuted it if they could. To the second he answereth, that *it was a jeering expression*. Yes, it was biting as well as jeering

Fortius & melius magnas plerumque secat res.

The French Ambassador (whom he thought
 passe by in silence) did not jeere: yet he
 did the same thing in sad earnest. To my
 third Argument he saith *it is nothing to the*
purpose. How nothing to the purpose, for the
 Pope when his affaires were going retro-
 grade, and his party like to be overvoted;
 to create new Bishopricks, to ordaine new
 bishops, and pack them away presently to
 the Councell to assist his party, and by that
 means to gaine a plurality of Voices? Is this
 nothing to the purpose in his Opinion? It
 may be he thinkes, that *Italy* had not Bishops
 enough there, (yet they had two thirds of
 the Councell before): or that these new Bis-
 ops, did understand the Tradition and
 reliefe of *Italy* better then all the rest.

If it be his mind to wave the Popes Pa-
 triarchall power, I am contented: other-
 wise his prooffe will not weigh much, un-
 lesse we admit strangers (who know little
 or nothing of our Privileges, more then we
 know the *Cyprian* Privilege, before the
 Councell of *Ephesus*) to be competēt judges,
 and will interpret a Western Patriarch to
 be the onely Patriarch of all the west. The
 Archbishop of Yorke is Primate of Englād,
 and

and yet all England is not subject to his Jurisdiction. Forfeiture and Quitting are two distinct Charges: an Office is Forfeited by abuse, and quitted by assuming a new Office inconsistent with the former, as I have shewed the Papacy and a Patriarchate, that is, a Sovereign and Subordinate power to be. But a Patriarchate and a Bishoprick, being both subordinate to a Generall Councell, are not inconsistent; and much lesse the Office of a King and Master of a Family, the one being Politicall the other Oeconomicall. But an Universall Monarchy by divine right, and the Presidency of a Particular Province by Humane right, are inconsistent: I gave him my reasons for it, and he taketh no notice of them.

He excepteth against my styling Patriarchall Authority, a *Patriarchall Aristocraticall dignity*, which he calleth my *thrice repeated non sense*. It is well he did not make it a Contradiction. His reason is, because a *Patriarchate is a Government by one, an Aristocracy by many*. The answer is Obvious and easy; a Patriarch is a Monarch in the Government of his own Patriarchate, yet subordinate to a Generall Councell: but in a Generall Councell or

in the Governmēt of the Catholick Church, he is but one of the *Optimates*, or a Fellow governour with other Bishops. He saith, *it was never pretended by Catholicks, that the Pope was the King of the Church.* I wonder that he is no better acquainted with the *Sorbone* disputes, whether the Regiment of the Church, be an absolute Monarchy tempered with an Aristocracy.

We have a Meritorious Sacrifice, that is the Sacrifice of the Crosse; We have a Commemorative and Applicative Sacrifice, or a Commemoration and Application of that Sacrifice in the Holy Eucharist. A Suppletory Sacrifice, to supply any want or defects in that Sacrifice, he dares not owne, and unlesse he do owne it, he saith no more then we say.

What I spake of our Registers, I intended principally of that *Register of the right Ordination of Protestant Bishops*, that he may see when he will for his love, and have the Copy of any Act in it for his money: but he had rather wrangle about it then take such paines; if he will have a little Patience I will ease him of that Labour and Expences. It is no insuperable difficulty nor any difficulty at all to us, to find out that *Catholick Church* which we have in our
 Creed :

Creed : but to find out his *Roman Catholick Church* ; is both a Contradiction in adject and an Apple of Contention , serving to commit him and his Friends together among themselves, which he knoweth and therefore declineth it.

I called not the Ancient Bishops of *Italy* either *Episcopelles*, or the Popes hungry Parasiticall Pensioners; but the Flatterers of the Roman Court , and Principally those petty Bishops, which were created during the Councell of *Trent* to serve the Popes turne. If he think that Court free from such Moths , he is much mistaken. Neither are these expressions mine originally. I learned them from the ancient Bishops of *Italy* themselves, who gave them those very names of *Episcopelles* &c. Neither did I tax any man in particular.

He desires me *to examine my Conscience, whether I doe not get my living by preaching that Doctrine which I put in my Bookes, which how many notorious Falsities, Contradictions, and Tergiversations they have in them, may be judged by this present worke.* Yes, if he and his merry Stationer may be my Judges. Now his worke is ended and answered

red, I will make him a faire offer; If he be
able to make but one of all his Contradi-
ctions, and Falsifications, and absurdities
good, I will be reputed guilty of all the rest:
If he be not, I desire him both to examine
his own Conscience and Discretion, what
reward he deserveth both at the hands of
God and man, for so many notorious Ca-
lumnies. As for his Faults, I shall rather
leave them to the Iudgement of the Reader,
then trouble myself with the Recapitulation
of them.

In the close of my Discourse I answered
an exception of his, that *I cited Gerson*
against myself. The words of Gerson (or
rather of the Eastern Church when they
separated from the Roman) are these, *Po-*
entiam tuam recognoscimus, Avaritiam tuam
implere non possumus, Vivite per vos; We know
thy power, we cannot satisfy thy Covetousnesse,
Live by yourselves. They knew that he had
a Patriarchall power, and that he was the
first or chiefe of the Patriarchs: but this
power we deny not, that power which we
deny, is a Supremacy of single power, and
that by Christs own Ordination. The
Question is, whether the Grecians did
acknowledge such a power due to the
Pope in these words. That they did not, I

H h

prove

prove, first by the practice of most of all the Eastern Churches, who excommunicate the Pope yearly as a Schismatick for challenging this power. Secondly, I prove it by the Testimony of all their writers, especially the modern Greeks, as *Hieremy* and *Cyrill*, the two succeeding Patriarchs of *Constantinople*, and *Nilus* an Archbishop &c., who all deny this power to the Pope in the name of the Greek Church. Thirdly, I prove it by his own confession in this very Chapter, *There is no one point produced by him, which our Church looks upon as a point of Faith, in which they dissent from us and consent with the Protestants, except that one of denying the Popes Supremacy.* How? doe they grant the Popes Supremacy and deny the Popes Supremacy, and yet continue the same without Variation (as they have done)? doe not say this is a Contradiction, but let the Reader Iudge.

His reasons are mere Prevarications not reasons. First here is no *Opposition* between power and covetousnesse, unlesse he mean all Affirmatives and Negatives (whatsoever be the Subjects or Predicates,) are Opposites; and if they were, it signifieth nothing. Secondly, he demands *what power had the Pope over them except Spirituall Jurisdiction*

I answer, he shewed them sufficiently at the Division of the Greek Empire : and then they stood in need of his assistance against the Turke.

His third fourth and fifth Arguments may be reduced to one, and when they are twisted they will not have the weight of one single haire. *The Difference was about undue Subsidies and Taxes, but the Demanding Subsidies seems incredible, had there not been some preacknowledged power to ground such demands upon.* Yes, there was his Protopatriarchall power, and that tenterd and stretched out to the uttermost extent : and when he would have extended it yet higher, the Grecians cast out his Vsurpations. I see he doth but grope in the darke, I will help him to some light, *Peter Steward upon Caleca* tells him what these undue Subsidies and Exactions were, *when the Popes Legates brought yearly the Chrisme from the Apostolick See to Constantinople, they would not depart from thence unlesse they had eighty pound weight of Gold, besides other Gifts bestowed upon them.*

Lastly he addeth, *Gerfon concludes that upon this Consideration, they might proceed to the Reformation of the French Churches, notwithstanding the Contradiction which perhaps some of*

the Court of Rome would make ; which evidenceth that the acknowledgement of the Popes just power was retained, and encroachments on their Liberties onely denied. Concedo omnia. His Protopatriarchall power was acknowledged, his Sovereignty of Iurisdiction was denied as an encroachment : and this is the same Method which we observed in England.

And so Mr. Serjeant concludes his Rejoinder, that the Bishop began like a Bowler and ends like one of those Artificers, who going to mend one hole, use to make other three. Just Mr. Serjeant, just, As your mind thinketh, so the Bell clinketh. If there be any of those Artificers here, it is yourself, whose constant Custome is to make holes where there are none, and out of an eager desire of Contradicting others, to plunge yourself irrecoverably into reall Contradiction. With Scurrility you began this Rejoinder and with Scurrility you end it.

That which followeth is a Dish of thrice foddren Coleworts, or a vain recapitulation of his own Imaginary Achievements, which the Reader hath been troubled withall too often already.

I have done with Mr. Serjeants Rejoinder, and have but one short request to the Reader;

der ; That if he meet with any thing in this Treatise, which is not becomming that Gravity or Civility which one Scholer oweth to another , especially in Theologicall Inquisitions, *Sciat responsum non dictum esse*. He will be pleased to consider, that it is hardly possible to answer so much Petulance, without some Tartnesse. For the future , if *Mr. Serjeant* have any thing to say upon this subject, let him say it Logically and he will not have cause to complaine that he is neglected : but if he pursue this way of *quibling* and *wording*, (which he complaineth of in others without a cause, and practiseth himself) I shall make bold to cull out and answer whatsoever I Iudge materiall , and leave the rest to a younger pen , which will attend his Motions.

F I N I S.

Courteous Reader be favorably pleased to excuse the errors of the presse, and amend them with thy penne. Neither the Printer, nor his Composers, nor Correctors understood one English word. Hence it commeth to passe, that now and then distinct words are conjoined, and the same word or sillable at other times is divided, and letters are mistaken, because my other occasions would not permit me to attend this worke perpetually. The fowleest errors are these which follow: and the worst of them are already corrected in the most Copies, as soone as the Review came.

Pag. 3. l. 2. te read, to pag. 21. l. 17. & 18. ti read, it, pag. 31. l. ult. *deleatur* right, pag. 38. li. 19. some read none, pa. 82. l. 19. onre read once, li. 20. once read note, pag. 93. l. 12. no table read not able, pag. 102. l. 29. *deleatur* and their oaths of, pag. 167. l. 19. 1000. read 1100. pag. 191. li. 29. his read this, pag. 214. l. 13. sweryeth read swerveth, pag. 237. l. 16. *deeft* is, pag. 269. li. 23. and read an, pag. 271. l. 13. from read form, li. 26. in read is, pag. 297. l. 1. that read as, pag. 391. l. 25. me read we, pag. 401. l. 30. Church read Bishop, pa. 407. *inter lineas* 20. & 21. *Desunt hæc verba*, the Senate but greater then.

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